

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BOZA PLEASANT-BEY,)	
)	
Plaintiff,)	
)	Case No. 3:19-cv-00486
VS.)	JUDGE TRAUGER
)	JURY DEMAND
STATE OF TENNESSEE, et al,)	
)	
Defendants.)	
_____	X	

DEPOSITION OF VINCENT FINAMORE
TAKEN ON JUNE 17, 2021

Prepared by:
Carole K. Briggs, LCR #345
Briggs & Associates
222 Second Avenue, North, Suite 340M
Nashville, Tennessee 37201
Briggscourtreporting@hotmail.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES :

FOR THE PLAINTIFF:

TRICIA HERZFELD, ESQUIRE
Branstetter, Stranch & Jennings, PLLC
The Freedom Center
223 Rosa L. Parks Avenue, Suite 200
Nashville, Tennessee 37203
triciah@bsjfirm.com

FOR THE DEFENDANT, STATE OF TENNESSEE:

THOMAS J. AUMANN, ESQUIRE
NIKKI N. HASHEMIAN, ESQUIRE
Tennessee Attorney General's Office
P.O. Box 20207
Nashville, Tennessee 37202-0207
thomas.aumann@ag.tn.gov
Nikki.hashemian@ag.tn.gov

FOR THE DEFENDANT, CORECIVIC:

JOSEPH F. WELBORN, ESQUIRE
ERIN PALMER POLLY, ESQUIRE
K&L Gates, LLP
222 Second Avenue South, Suite 1700
Nashville, Tennessee 37201
joe.welborn@klgates.com
Erin.polly@klgates.com

FOR THE DEPONENT:

STEPHANIE MAXWELL, ESQUIRE

1	TABLE OF CONTENTS		Page 3
2			
3	Witness		Page
4			
5	VINCENT FINAMORE		
6	Examination by Ms. Herzfeld		6
7	Examination by Ms. Polly		90
8	Examination by Mr. Aumann		140
9			
10			
11			
12	LIST OF EXHIBITS		
13			
14	Number	Description	Page
15			
16	1*	Witness's notes	8
17	2	Deposition notice	11
18	3	November 2017 comptroller report	16
19	4	Comptroller's performance audit of TDOC, January 2020	26
20	5	Working papers	42
21	6	TDOC 012403	54
22	7	TDOC 013292	55
23	8	TDOC 013524	58
24	9	TDOC 014907	62
25			

1	10	TDOC 012355	Page 4 65
2	11	TDOC 015330	66
3	12	TDOC 014498	68
4	13	TDOC 011758	70
5	14	TDOC 012554	72
6	15	TDOC 013491	76
7	16	TDOC 016008	77
8	17	TDOC 013295	79
9	18	TDOC 029720	81
10	19	TDOC 010081	82
11	20	News articles beginning with TDOC 013562	87
12			
13		* (denotes late-filed exhibit)	
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

The deposition of Vincent Finamore, taken on behalf of the plaintiff, remotely via Zoom, by agreement of parties, on June 17, 2021, for all purposes allowed under the Federal Rules of Civil Procedure.

It is agreed that Carole K. Briggs, licensed court reporter for the State of Tennessee, may swear the witness, take his deposition, and afterwards reduce same to typewritten form, and that the reading and signing of the completed deposition by the witness is not waived.

All formalities as to notice, caption, certificate, et cetera, are expressly waived. All objections, except as to the form of the question, are reserved to the hearing.

(Unless previously provided, all names are spelled phonetically, to the best of the court reporter's ability.)

1 (Whereupon, the foregoing deposition
2 began at 9:02 a.m.)

3 THE COURT REPORTER: Good morning. Today is
4 June 17, 2021 at 9:02 a.m. At this time, would each
5 attorney please introduce yourself, who you represent,
6 and that you agree to take this deposition by Zoom.

7 MS. HERZFELD: Tricia Herzfeld. I represent
8 Mr. Pleasant-Bey. And I agree to take the deposition by
9 Zoom.

10 MR. AUMANN: This is Tom Aumann for the TDOC
11 defendants. And I agree to take the deposition by Zoom.

12 MS. POLLY: Erin Palmer Polly and Joe Welborn
13 for the CoreCivic defendants. We agree to take the
14 deposition by Zoom.

15 MS. MAXWELL: I'm Stephanie Maxwell on behalf
16 of the comptroller's office and Vince Finamore. And I
17 agree to take the deposition by Zoom.

18 Whereupon,

19 VINCENT FINAMORE,
20 having been first duly sworn, was examined and deposed
21 as follows:

22 EXAMINATION BY MS. HERZFELD:

23 Q. Good morning.

24 A. Good morning.

25 Q. Could you state your name and spell it for

1 the record, please.

2 A. Name is Vincent Finamore. V-I-N-C-E-N-T,
3 F-I-N-A-M-O-R-E.

4 Q. What is your position, Mr. Finamore?

5 A. Legislative performance auditor with the
6 comptroller's office, State of Tennessee.

7 Q. How long have you been in that position?

8 A. About 15 years.

9 Q. Do you understand you're here for a
10 deposition today?

11 A. Yeah.

12 Q. Have you ever given a deposition before?

13 A. No.

14 Q. I notice you're looking down at something.
15 What is it that you are looking at?

16 A. I just have some notes.

17 Q. Are they notes that you prepared for
18 yourself?

19 A. Correct.

20 Q. Could you show me those notes.

21 (Witness complies.)

22 Q. Okay, great. And did you prepare those in
23 advance of your deposition today?

24 A. Correct.

25 Q. Okay, great. Did counsel help you prepare

1 those notes at all?

2 A. No.

3 MS. HERZFELD: If we could go ahead and make
4 his notes Exhibit A to the deposition.

5 (Exhibit 1 was marked late-filed.)

6 BY MS. HERZFELD:

7 Q. And today you've been designated as the
8 individual that is supposed to be testifying on behalf
9 of the comptroller's office. Do you understand that to
10 be your role today?

11 A. Correct.

12 MR. AUMANN: I'm sorry. Tricia, did you say
13 Exhibit A as in apple?

14 MS. HERZFELD: Oh, yeah, or 1. I guess we
15 can say 1. One is probably better. Thanks for the
16 clarification on that.

17 MR. AUMANN: No problem.

18 BY MS. HERZFELD:

19 Q. And you understand you're giving testimony
20 today on behalf of the comptroller's office?

21 A. Correct.

22 Q. So when you're giving an answer, that is as
23 though the comptroller's office is speaking. You are
24 speaking on their behalf. You understand that?

25 A. Correct.

1 Q. Are you represented by an attorney here
2 today?

3 A. Ms. Maxwell.

4 Q. Did you meet with Ms. Maxwell in advance of
5 your deposition today?

6 A. I guess briefly.

7 Q. Don't tell me what you talked about, but when
8 did you meet and for how long?

9 A. I believe on Monday we talked for two hours.
10 And there was another time, I don't remember the exact
11 date on that.

12 Q. Did you speak with Mr. Aumann at all or
13 anybody from the state attorney general's office in
14 advance of your deposition today?

15 A. I also spoke with Mr. Aumann as well.

16 Q. When was that?

17 A. Also on Monday.

18 Q. At the same meeting?

19 A. Same meeting.

20 Q. Was that in person or was it on the phone or
21 over Zoom?

22 A. On Zoom.

23 Q. Was there anyone else present in that
24 meeting?

25 A. No, ma'am.

1 Q. Did you speak with anyone about your
2 preparation for your deposition today, other than Ms.
3 Maxwell or Mr. Aumann?

4 A. No, ma'am.

5 Q. Do you have an awareness of what this lawsuit
6 is about?

7 A. Vaguely --

8 Q. Okay, and what is your --

9 A. -- not specific. Just what it says in the
10 deposition or the -- yeah, I'm not very familiar with
11 what is it.

12 Q. Have you read the complaint in the case at
13 all?

14 A. Just what we -- was provided by the
15 deposition.

16 Q. So the deposition notice is what you're
17 referring to?

18 A. Right.

19 Q. I am going to go ahead and try to screen
20 share. Which I'm going to admit, normally I have
21 somebody to help me do this, so you all give me a little
22 grace here. Did it share, can you see it?

23 A. Uh-huh.

24 Q. And is that the deposition notice?

25 A. If you open it, I can be sure that it is.

1 Q. I'm trying. Give me one second. It will not
2 share my screen.

3 MS. HERZFELD: Can we go off the record.

4 (Off-the-record discussion.)

5 BY MS. HERZFELD:

6 Q. We're back on the record, Mr. Finamore. I
7 have handed you what we'll mark as Exhibit 2 to the
8 deposition.

9 (Exhibit 2 was marked.)

10 BY MS. HERZFELD:

11 Q. Is this the notice that you received to
12 attend the deposition today?

13 A. Correct.

14 Q. And you've had an opportunity to review it
15 before today's deposition?

16 A. Correct.

17 Q. Have you had an opportunity to review the
18 instructions to the 30(b)(6) notice?

19 A. Correct.

20 Q. And you've been designated to speak on all
21 topics today, including the first audit of Trousdale,
22 the second audit and report of Trousdale, and then these
23 other topics, three, four, five, six, seven, eight, and
24 then nine; is that correct?

25 A. Correct.

1 Q. And is there any area that's been designated
2 in this notice that you do not feel prepared to testify
3 on today?

4 A. I don't believe so.

5 Q. Okay. Great. Do you see my face now, or do
6 you still see the document?

7 A. I'm not seeing your face.

8 Q. Okay, hold on. You said before that you've
9 never given testimony before; is that correct?

10 A. That's correct.

11 Q. What is your educational background?

12 A. I have a bachelor's in psychology and a
13 master's of arts in industrial organizational
14 psychology.

15 Q. Were you involved at all in what we'll call
16 the November 2017 compliance report that was done
17 regarding Trousdale?

18 A. I was.

19 Q. What was your role?

20 A. I was one of the in-charges.

21 Q. I'm sorry, you were one of the?

22 A. In-charge, audit in-charges. A supervisor
23 role.

24 Q. And what is an audit in-charge?

25 A. In-charge is basically a front-line

1 supervisor for the audit.

2 Q. And how many in-charges were there for this
3 audit?

4 A. There was one other in-charge.

5 Q. Who was it?

6 A. That was David Wright.

7 Q. And is Mr. Wright still employed by the
8 comptroller's office?

9 A. He is.

10 Q. So an in-charge means you were in a
11 supervisory role; is that right?

12 A. Correct.

13 Q. And was there anyone in a supervisory role
14 over you and Mr. Wright?

15 A. There was a manager.

16 Q. Who was the manager?

17 A. Ms. Dena Winningham.

18 Q. What is her role?

19 A. She was the manager of the audit.

20 Q. And there's just one manager?

21 A. For that audit, correct.

22 Q. And how many people were you supervising?

23 A. Two other people.

24 Q. And who are they?

25 A. Greg Spradley and Fonda Douglas. And we have

1 one additional auditor that came on in the last month of
2 the project or so, just to help write up -- when we were
3 writing the report.

4 Q. Who was that?

5 A. Jafar Ware.

6 Q. Are those three individuals still employed by
7 the comptroller's office?

8 A. They are not.

9 Q. Are any of them still employed by the
10 comptroller's office?

11 A. Of those three, no, ma'am.

12 Q. Do you know why any of them are no longer
13 employed by the comptroller's office?

14 A. I do not know specifically why, no.

15 Q. Was it performance related for any of the
16 three?

17 A. Not that I'm aware of. Like I said, I don't
18 -- I do not know the circumstances.

19 Q. Did they leave at the same time or different
20 times?

21 A. Different times.

22 Q. Have you had an opportunity to review the
23 2017 report in advance of your deposition today?

24 A. Yes, ma'am.

25 Q. Does the department stand behind the findings

1 and conclusions in that report?

2 A. They do.

3 Q. And it was accurate at the time that it was
4 written?

5 A. Yes, ma'am.

6 Q. Are there any corrections or changes that the
7 department would make to that report?

8 A. Not that I am aware of, no.

9 Q. Okay, great. Do you know if there were any
10 drafts of that report before the final one?

11 A. Yes, there were several drafts.

12 Q. And where are those drafts held? Where are
13 they stored?

14 A. They should be in the audit, within the
15 working papers.

16 Q. And when you say within the working papers,
17 what do you mean by that?

18 A. The information that is in T-Mate in our
19 files, in our -- I guess we have a software program or
20 database that holds our working papers.

21 Q. Do you know if those working papers were all
22 provided to us in this litigation.

23 A. As far as I know, they were.

24 Q. Are the drafts labeled as drafts?

25 A. Not all of them may be labeled as drafts.

1 They should have been. I think so, yeah.

2 Q. And so going back into that production, if
3 it's a draft versus the final, it should very clearly
4 say that it's a draft?

5 A. Correct.

6 Q. Do you recall if there were any major
7 substantive changes that were made in the conclusions of
8 the report from kind of beginning to end?

9 A. I do not remember anything substantial.

10 Q. I'm going to try to screen share again, so
11 bear with me. Guaranteed to be a disaster. Do you see
12 this document?

13 A. I do.

14 Q. And is that the November 2017 report that we
15 were just discussing?

16 A. It is.

17 MS. HERZFELD: And I will make this Exhibit 2
18 to the deposition.

19 THE COURT REPORTER: I think that will be
20 Exhibit 3.

21 MS. HERZFELD: It is because we put in the
22 notice. You're absolutely right, Exhibit 3. Thank you.

23 (Exhibit 3 was marked.)

24 BY MS. HERZFELD:

25 Q. Should be back to me now. In that report

1 there is a reference to the turnover rate. Do you know
2 what the turnover rate is, what that references in the
3 report?

4 A. Yes, that was the turnover rate for the State
5 of Tennessee correctional officers.

6 Q. What about turnover rate regarding Trousdale,
7 do you have any information about that?

8 A. In that audit, I don't believe we did.

9 Q. And is there an acceptable or a rate of
10 turnover rate that is acceptable in the corrections
11 industry to your knowledge?

12 MR. AUMANN: Objection.

13 MS. POLLY: Object to the form.

14 MS. HERZFELD: You can answer the question.

15 THE WITNESS: I'm not aware of the exact
16 turnover rate that is acceptable.

17 BY MS. HERZFELD:

18 Q. Mr. Finamore, do you think that there is a
19 relationship between safety and staffing inside of a
20 prison?

21 MS. POLLY: Object to the form.

22 MS. HERZFELD: You can answer it, sir.

23 THE WITNESS: I believe that it's related to
24 the safety in some way.

25 BY MS. HERZFELD:

1 Q. Do you agree that there could be a
2 relationship between understaffing of a facility and
3 inmate violence?

4 MS. POLLY: Object to the form.

5 MR. AUMANN: Objection to form.

6 MS. HERZFELD: You can answer the question.
7 When they object, you can still answer.

8 THE WITNESS: At some base level, I'm sure
9 there probably could be.

10 BY MS. HERZFELD:

11 Q. Would you agree that fewer facility searches
12 can result -- I'm sorry, strike that. Do you agree that
13 if a facility is understaffed, that that understaffed
14 facility would have less searches?

15 MS. POLLY: Object to the form.

16 MS. HERZFELD: You can answer it, sir.

17 THE WITNESS: Obviously, the resources that
18 they have available would probably help dictate the
19 searches that they could do.

20 BY MS. HERZFELD:

21 Q. And if they have less resources for searches,
22 there is less likelihood that things like drugs or
23 contraband could be found?

24 MS. POLLY: Object to the form.

25 MS. HERZFELD: Sir, when they object, you can

1 still answer.

2 THE WITNESS: Okay. I guess it's a
3 likelihood of that occurring. But I can't be sure.

4 BY MS. HERZFELD:

5 Q. What about if a facility is understaffed,
6 what type of impact do you think that would have on
7 employee stress?

8 MS. POLLY: Object to the form.

9 THE WITNESS: Depends on, obviously, where
10 the staff reductions are. But naturally, if longer
11 hours were needed to be worked, it could increase
12 stress, yeah.

13 BY MS. HERZFELD:

14 Q. What is the comptroller's job? What is the
15 purpose of the comptroller doing audits and reports
16 about various facilities within the state?

17 A. Our job is to do performance audits or
18 reviews of agencies on behalf of the legislature. In
19 this case, it was -- we were doing an audit on the
20 department of correction. And it's part of the sunset
21 review process. Each agency has a cycle that they -- to
22 be renewed every few years. And when their cycle is up,
23 they come before the legislature, governmental
24 operations committee, and they decide to continue with
25 the department or not. And they generally like to hear

1 any performance issues that are going on in that
2 department. And our job is to go in and do a
3 performance audit before the sunset date.

4 Q. So when the department does a performance
5 audit of TDOC, does that include the facilities that are
6 contracted with private prison service providers?

7 A. It does.

8 Q. So in this case, that would include CoreCivic
9 facilities?

10 A. Correct.

11 Q. And is Trousdale Turner one of those
12 facilities?

13 A. It is.

14 Q. And when an audit is performed on Trousdale,
15 is one of the things that the department is looking at
16 for compliance of the contract?

17 A. Again, we were auditing the department of
18 correction. And yes, we would be looking at contract
19 compliance between the facility and the contract with
20 the department.

21 Q. Why is that?

22 A. To ensure that the contract is being complied
23 with. Policies --

24 Q. Why is that -- I didn't mean to interrupt
25 you. Go ahead.

1 A. It's just that's our role, is to look at
2 policies and procedures and to ensure that -- well, part
3 of our job really is that we're evaluating whether the
4 contract monitors and how well they are also looking at
5 maintaining the, I guess the agreement or how well
6 they're monitoring CoreCivic and their adherence to the
7 contract.

8 Q. Why is that important?

9 A. Accountability and to ensure that the
10 contracts are being followed.

11 Q. And do you know why those contracts have
12 certain standards?

13 A. I guess it's part of a contract to ensure
14 that -- yeah, standards that the policies and procedures
15 for the department of corrections are followed and that
16 a certain standard of operations is adhered to in that.

17 Q. And is that for the safety of the prisoners?

18 A. And I would believe both -- yeah, the safety
19 of the prisoners, and the correctional officers, and
20 staff that are operating the prisons.

21 Q. What about financial accountability?

22 A. That's also, I guess part of the contract is
23 also, yeah.

24 Q. And ultimately, the prisons in the State of
25 Tennessee, whether they're contracted through an

1 independent private facility or, you know, being run by
2 TDOC, I mean, that's taxpayer money that is being spent
3 on those facilities; is that right?

4 A. Correct.

5 Q. And so is one of the jobs of the department
6 of the comptroller to ensure that the tax dollars are
7 being spent appropriately in accordance with the
8 contracts?

9 A. In a broad sense.

10 Q. Okay. And you said you have been with the
11 comptroller's office for about 15 years; is that right?

12 A. Correct.

13 Q. Have you been in the process of auditing TDOC
14 during the entirety of those 15 years?

15 A. No, ma'am.

16 Q. When did you start participating in audits of
17 TDOC?

18 A. 2017.

19 Q. And what types of audits did you do prior to
20 that?

21 A. Numerous performance audits.

22 Q. And different departments within the state?

23 A. Correct.

24 Q. And what types of things do you look at when
25 you're doing an audit of TDOC?

1 A. It varies. Performance audit, we basically
2 look at, during our planning phase, and determine areas
3 of risk. And we set objectives based on planning and
4 research that we do at the time of the audit. It can
5 change from audit to audit. So we will do whatever we
6 identify as an objective or a risk area, then that's
7 what we finally settle down and choose to do in the
8 detailed part of our audit. So it's not a standardized
9 form.

10 Q. Could you just go through a little bit of
11 what the methodology is for me?

12 A. Yes. When we start a performance audit, we
13 basically have a planning phase and a research phase.
14 It's when we come into the agency -- or we actually
15 don't go to the agency at that point, but we research
16 all of the policies and procedures, statutes, contracts.
17 We review basically any history or any background
18 information that we can collect on the agency that is
19 available at that time and is current at that time.

20 We also interview key management of the
21 department. And we try to identify areas of potential
22 risks. And what we mean risks in this area is related
23 to performance or anything that might hinder the
24 department from being able to meet its mission.

25 Q. And then how does the process work after

1 you've done that?

2 A. After we've done that, we identify several
3 areas. We discuss with our management team which areas
4 will be beneficial or reasonable for us to look at, and
5 what is important to the general assembly at that time,
6 the questions that might be most helpful for them in our
7 review. And we have to narrow our objectives to what we
8 can accomplish in the time that we're allotted for the
9 audit. So those factors all come into, I guess setting
10 what the audit objectives will be.

11 Q. And then who ultimately makes the decision on
12 what the audit objectives are?

13 A. It's signed off by the comptroller.

14 Q. And then once those objectives are set, then
15 what happens?

16 A. We notify the department in an engagement
17 letter what our objectives will be. And we begin the
18 detailed phase of the audit.

19 Q. And what is the detailed phase of the audit?

20 A. Basically, that's where we focus on the
21 objectives. We do test work -- we develop test work.
22 We gather data to perform test work. And then we also
23 ultimately draw conclusions based on our test work.

24 Q. And then what do you do after that?

25 A. After we come to our conclusions, we discuss

1 with management what those conclusions are and if
2 there's any changes that need to be made. After that,
3 we enter the report writing phase or the draft phase and
4 we begin drafting our report.

5 Q. And then what happens at that point?

6 A. We will draft the report, which is writing
7 our findings and conclusions and documenting our
8 evidence. And once we have a draft, it's an editing
9 process between staff auditors, in-charges, managers,
10 all of the way up through the comptroller. Once we have
11 a draft that is approved by the comptroller, we send
12 that draft to the department for their review. And
13 they're allowed to provide management comments. We also
14 meet with the department to go over any questions or
15 concerns that they have at that time.

16 Q. And at that point when the department were to
17 give you their management comments, do you ever change
18 the findings of the report based on those, or you issue
19 the report, they do their comments, and then that's --
20 you know, you can do a response and that's the final?

21 A. Well, in some circumstances, we do make
22 adjustments to the findings. It depends on evidence or
23 any support or documentation that the department can
24 provide to support their reasoning for making changes.
25 We make an evaluation of that. In some cases, we make

1 some adjustments to findings before we finalize it.

2 Q. Do you know if you made any of those
3 adjustments in the November 2017 audit?

4 A. As I said before, I do not recall any
5 substantial changes.

6 Q. Is that process that you just described, is
7 it generally the same for all of the audits that you do?

8 A. It's the same for all of the audits.

9 Q. So I am now going to try to show you Exhibit
10 4. Do you see the January 2020 performance audit review
11 for the department of correction on your screen?

12 A. I do.

13 Q. Do you recognize that to be the 2020 audit of
14 the TDOC performed by your department?

15 A. I do.

16 MS. HERZFELD: We will mark that as Exhibit
17 4.

18 (Exhibit 4 was marked.)

19 BY MS. HERZFELD:

20 Q. Is this your name here, Vincent Finamore?

21 A. That is.

22 Q. You were also an in-charge auditor for this
23 audit?

24 A. I was.

25 Q. And did you review this January 2020

1 performance audit review of the department of correction
2 before your testimony today?

3 A. I did.

4 Q. And do you stand by it?

5 A. I do.

6 Q. And is there anything in there that the
7 department would now like to change positions on?

8 A. No, not at this time.

9 Q. Do you know if there were any substantial
10 changes to the conclusions in this audit based on new
11 information or responses from the department?

12 A. I believe there were several adjustments
13 made. But I, at this time, can't recall all of them.

14 Q. Which ones can you recall?

15 A. I think there was some wording on some of the
16 supervision aspects. There were some general wording on
17 several of the conclusions.

18 Q. What about the substance of the conclusions,
19 were there any changes to that, the findings?

20 A. I don't believe there was a major substance
21 -- substantive changes, no.

22 Q. Was there anything unusual or different from
23 the ordinary about how it is that the comptroller's
24 office performed this particular audit?

25 A. No, ma'am.

1 Q. And is there anything that stands out in your
2 mind as unusual about this audit in any way?

3 A. No, ma'am.

4 Q. Do you feel that the audit was fair?

5 A. I do.

6 Q. What is your knowledge of any actions taken
7 by CoreCivic or Trousdale in response to the findings of
8 the two audits we've looked at today?

9 A. Let's see. I know the department made some
10 changes. After the first audit, they added an extra
11 contract monitor to each of their facilities to help
12 with the compliance issues.

13 Q. Do you know if an extra contract monitor was
14 added at the Trousdale facility?

15 A. There was, uh-huh.

16 Q. There were how many before and how many
17 after?

18 A. During our 2017 audit, there was one contract
19 monitor. And during the 2020 audit, there were two
20 contract monitors on site.

21 Q. What other changes do you know that were
22 made?

23 A. I believe they -- well, we noted that they
24 properly documented their staffing compared to the
25 previous audit. And our review of the staffing rosters

1 showed that they had critical posts manned.

2 Q. But those things are reflected in the report;
3 is that right?

4 A. Those are reflected in the report, correct.

5 Q. So other than things that are reflected in
6 the report, do you know anything other than that that
7 was done, things that happened subsequently or that were
8 not included in the report?

9 A. No, ma'am.

10 MS. POLLY: Object to the form.

11 BY MS. HERZFELD:

12 Q. I just want to make sure I understand. So to
13 your understanding of the knowledge of the comptroller's
14 office, the different changes or any changes that were
15 made by CoreCivic regarding Trousdale, or the department
16 regarding Trousdale, those changes are all reflected in
17 the report?

18 MR. AUMANN: Objection to form.

19 BY MS. HERZFELD:

20 Q. You can answer it, sir.

21 A. What's in the report are the observations
22 that we made at the time. And the focus was looking at
23 changes from the prior audit and have they addressed the
24 findings from that audit. So I cannot say that every
25 change that CoreCivic has made between the two time

1 periods is in the report, no. But the changes that
2 offset the prior findings are reflected in the report,
3 as to why they are still a finding or why they are no
4 longer a finding.

5 BY MS. HERZFELD:

6 Q. But other than the information that is
7 discussed in the report, do you have any knowledge about
8 any other changes that were made by Trousdale or
9 CoreCivic as you sit here today?

10 A. Not that I can recall, no.

11 Q. I think we had spoken just a few minutes ago
12 about different changes that TDOC had made in response
13 to the report. So you said they added another contract
14 monitor, for example, that was one of the changes?

15 A. Uh-huh.

16 Q. What about any other changes in regard to
17 oversight of CoreCivic?

18 A. I believe they required -- started requiring
19 CoreCivic to send in the daily shift rosters to the
20 department or the chief of operations to review -- or
21 the -- the person over the prisons. I think it's chief
22 of operations. I can't remember exactly.

23 Q. What other changes, if any?

24 A. I'm sure there are several. I can't recall
25 most of them. But that is one that stands out to me.

1 Q. If you think of the others while we're
2 sitting here, you can just interrupt me and tell me, if
3 you don't mind.

4 A. Uh-huh.

5 Q. Is that a yes, sir?

6 A. Yes.

7 Q. Perfect. What about any changes to the way
8 that TDOC has CoreCivic report inmate deaths, were there
9 any changes to that, to your knowledge?

10 A. Can you restate that, please?

11 Q. Sure. What about any changes -- do you know
12 of any changes to how TDOC would require CoreCivic to
13 report inmate deaths?

14 A. Well, at that time, we had not looked at that
15 in the first audit. So when we did the second audit, we
16 would not be aware of any changes that they made.

17 Q. What about after the second audit?

18 A. After the second audit, that would be in
19 their post audit follow-up. At this time, we've not
20 conducted a follow-up audit, so I would not be entirely
21 aware of their changes.

22 Q. Tell me about the post audit follow-up
23 process. How does that work?

24 A. Basically, after we finish an audit of the
25 department, they have 30 days to send the correction --

1 well, 30 days from the time that we release our report,
2 the department is to send in a corrective action plan.
3 And then after six months, they are to send basically a
4 progress memo to the comptroller indicating actions that
5 they are taking in executing that corrective action
6 plan.

7 Q. And you're looking at your notes when you are
8 telling me that. Is that one of the things you made
9 notes about?

10 A. Yes.

11 Q. And what do your notes say? I can't see
12 them. If I was sitting across from you, I would just
13 ask you to show me.

14 A. It's the statute, 8-4-109.

15 Q. Okay. And you already have done that
16 process, the TDOC post, the 2020 report?

17 A. Yes. They, from -- yes, they did turn in the
18 plan of -- their action plan and their progress reports.

19 Q. Has someone reviewed that?

20 A. Somebody in the comptroller's office would
21 have reviewed that, yes.

22 Q. Have there been any additional findings, or
23 was it satisfactory? What happened with that? Has
24 there been a conclusion yet?

25 A. That's just a follow-up by the department

1 saying what they are doing. We have not audited the
2 department since the report. So we have not gone in to
3 assess or make any judgments on their progress.

4 Q. And so when that follow-up report is sent,
5 what, if anything, is done with it?

6 A. It's filed and will be reviewed the next time
7 we do an audit.

8 Q. But in the meantime, if it says something,
9 there is no one verifying that or doing another
10 investigation?

11 A. Not this time, no.

12 MS. POLLY: Object to the form.

13 BY MS. HERZFELD:

14 Q. How often does is the department audited?

15 A. The department is audited depending on the
16 sunset dates set by the general assembly.

17 Q. Do you know if there is another audit
18 scheduled for TDOC?

19 A. There is another audit scheduled. Well, the
20 audit will be scheduled shortly, but their sunset date
21 is in '24.

22 Q. So there will be another audit done before
23 2024?

24 A. Correct. Before June 30th, 2024. That's the
25 sunset date.

1 Q. Does the comptroller's office have any
2 current investigations or are you looking at TDOC in any
3 way for any purpose?

4 A. Not that I am aware of at the moment.

5 Q. Just going back, do you know -- other than
6 what is contained in the 2020 report, do you know of any
7 other changes that TDOC or CoreCivic had made in
8 response to that 2020 report?

9 A. (Shaking head.)

10 Q. Is that a no?

11 A. I'm sorry. I am not aware of any at this
12 point. And just, yeah, we won't know until we go back
13 and look in the next audit.

14 Q. Is that the same for the conditions at
15 Trousdale, all of the information that the department
16 knows about the conditions at Trousdale are contained
17 within that 2020 report?

18 MR. AUMANN: Object to form.

19 MS. POLLY: Object to the form.

20 BY MS. HERZFELD:

21 Q. You can answer it.

22 A. Again, what's in the report are the
23 significant issues that we audited on and were able to
24 conclude on.

25 Q. But you don't have any additional information

1 outside of what is contained in that report about
2 conditions at Trousdale?

3 A. Not that we haven't shared with you or that's
4 in our working papers. Nothing significant that we have
5 not put in the report.

6 MS. POLLY: Object to the form on that.

7 BY MS. HERZFELD:

8 Q. And when the comptroller reports are issued,
9 who are they given to?

10 A. They are given to the general assembly. They
11 are given to the department. And I believe there's who
12 else the department wishes them to have a copy. It's
13 also released to the media and made available on our
14 website, so it's available to the public.

15 Q. And does it go to any other governmental
16 agencies?

17 A. I think it goes to -- well, definitely
18 general assemblies, but it wouldn't go to any other
19 agency unless it was, you know, requested to for some
20 reason.

21 Q. And the 2020 report, do you know if that went
22 to anyone other than TDOC, obviously the public, your
23 website, and the legislature?

24 A. I don't have a list in front of me of all
25 that it went to.

1 Q. Which -- who does it go to at the
2 legislature?

3 A. The governmental operations committee.

4 Q. And is it sent to the chair?

5 A. Yes, it would go to the chair.

6 Q. And do you know if there were any hearings on
7 this audit?

8 A. There was.

9 Q. And when were those hearings?

10 A. That hearing was, I believe January 27th,
11 2020.

12 Q. And was your department given any direction
13 from members of the legislature at that hearing of
14 things to do?

15 A. No.

16 Q. Did you have any follow-up that the
17 department was required to do as a result of that
18 hearing?

19 MR. AUMANN: Objection to form. And Tricia,
20 just if I could ask, when you're saying department, if
21 you could just clarify do you mean department of
22 corrections or are you talking comptroller's office?

23 MS. HERZFELD: I meant comptroller. When I'm
24 saying department, I mean comptroller.

25 MR. AUMANN: Okay, thank you.

1 THE WITNESS: No, we were not given any
2 further directions from the legislature.

3 BY MS. HERZFELD:

4 Q. And as a result of that hearing, did the
5 department, the comptroller's department -- I will try
6 to be super clear on that, Tom. Did the comptroller's
7 department make any changes to the report or findings?

8 A. No.

9 Q. Were those already finalized before the
10 hearing?

11 A. Yes.

12 Q. When you have investigators -- well, let me
13 back up. As a part of your audit process, do you have
14 investigators go to the facility itself?

15 A. Not our investigators, no. We have auditors.

16 Q. Auditors, okay, very good. I'll make sure I
17 try to use your terminology correctly. And so did you
18 have auditors go to Trousdale as part of the audit?

19 A. We did.

20 Q. How many went?

21 A. I believe the entire audit staff. The in-
22 charges and the staff auditors went to Trousdale -- went
23 to each of the facilities in the audit.

24 Q. And Trousdale is obviously the one I'm most
25 specifically interested in. Did you personally go?

1 A. I did.

2 Q. And when you all go and do those personal
3 observations and interviews, do people take notes?

4 A. Yes.

5 MS. POLLY: Object to the form.

6 BY MS. HERZFELD:

7 Q. Where are those notes kept?

8 A. They are our working papers.

9 Q. Is it your policy that when people do
10 interviews they should keep notes?

11 A. Yes.

12 Q. Do you know of any notes that would not be
13 contained in the working papers?

14 A. Anything that is important to the audit are
15 in the working papers.

16 Q. And did the department receive any input from
17 any outside organizations in forming the opinions in the
18 audit?

19 A. No.

20 Q. In talking about the 2020 audit as it has to
21 do with Trousdale, other than the information that shows
22 up in the audit itself, did the department have any
23 conversations with anyone at Trousdale about the
24 findings?

25 A. No, I don't believe we did.

1 Q. What about -- and when I say department, I
2 mean the comptroller's department. What about any
3 conversations that the comptroller's department had with
4 anyone at CoreCivic about the findings with Trousdale,
5 were there any conversations post the 2020 audit?

6 A. In the 2020 audit, there was not any finding
7 directly related just to Trousdale. We spoke with the
8 department about the findings that we had in the report
9 and their oversight of their prisons that we had
10 audited.

11 Q. And so when you say the department, you mean
12 --

13 A. Department of corrections.

14 Q. Department of corrections, okay. So I just
15 want to make sure, now that Tom's pointed this out, that
16 we have that correct. I guess what I'm trying to figure
17 out is, has there ever been a direct line of
18 communication between the comptroller's department and
19 someone at CoreCivic where they pick up the phone and
20 say, hey, you know, you've done this or you've done that
21 and we're going to kind of -- going to chat offline?

22 A. Well, as part of our audit process, while
23 we're at the facility, we are in contact with the
24 warden. And sometimes CoreCivic has sent part of their
25 upper management team, but they're not there all of the

1 time that we're there. At the end of the week, we did
2 have a meeting. We debriefed the warden and his staff
3 on any observations or concerns that we found, issues.

4 At that time, we don't have findings. We
5 don't have anything labeled or decided upon, if it's a
6 finding and observation or so. At that time, we just
7 make them aware of any issues. And you know, as we go
8 through our audit process, we do work with the staff,
9 CoreCivic staff if it's a CoreCivic facility, state
10 staff if it's a state facility. They are aware of what
11 we're looking at and any problems that we find. And
12 sometimes, you know, they work on trying to fix them.

13 Q. And all of that would be reflected in the
14 report?

15 A. Most of it would be, I believe, yeah, or our
16 working papers.

17 Q. Was there anyone from upper management
18 involved with -- when you all were looking at Trousdale?

19 A. I remember the warden being there.
20 Obviously, the contract monitor. I don't remember -- I
21 just don't remember if somebody from -- they might have
22 come the first day, upper management person from
23 CoreCivic may have been there. I don't recall if they
24 were there or not.

25 Q. Would that be documented someplace, who was

1 present?

2 A. It may be if our -- if we had documented our
3 opening meeting with -- we have an opening meeting when
4 we attend the facility when we first arrive, just to go
5 over with staff, you know, why we're there and the
6 process that we're going to be following and answer any
7 questions they have concerning the audit and the audit
8 process.

9 Q. And when you say someone from upper
10 management, does that mean from CoreCivic corporate,
11 like the Nashville office?

12 A. Right, correct.

13 Q. Do you know if anyone has ever had any
14 conversations from your department, from the
15 comptroller's office, with Warden Washburn about the
16 conditions at Trousdale?

17 MS. POLLY: Object to the form.

18 THE WITNESS: During our audit process, yes
19 we interacted with Warden Washburn.

20 BY MS. HERZFELD:

21 Q. And how was his reaction to your inquiries?

22 A. The warden was very helpful during our audit.
23 He was cooperative. He provided us any information that
24 we required. He encouraged his staff to provide the
25 files or, you know, access to the facility, or anything

1 that we needed to complete our audit.

2 Q. What about after, did anybody from the
3 comptroller's office have any conversations with Warden
4 Washburn after the audit was issued?

5 A. No.

6 Q. I pulled some different documents from I
7 think what you classified as your working papers. I was
8 hoping we could go through and you could tell me if they
9 are part of your working papers and kind of what they
10 are. If you'll just bear with me, I will put them on
11 the screen. And I will slowly go -- I can try to give
12 you control, we'll see, but I'll try to kind of slowly
13 go through them and show you what they are. But if you
14 have any questions, just let me know, okay?

15 A. Okay.

16 MS. HERZFELD: We are going to mark this as
17 Exhibit 5.

18 (Exhibit 5 was marked.)

19 MR. AUMANN: Tricia, I was just going to ask,
20 when you put these up here, could you give us the Bates
21 numbers with them, just so we can pull up our own
22 copies?

23 MS. HERZFELD: Yeah. I think this one is
24 probably going to be a little bit more difficult because
25 we put it together as a collective exhibit.

1 BY MS. HERZFELD:

2 Q. Sir, do you see a document on the screen in
3 front of you?

4 A. I do.

5 Q. In the top left-hand corner, does it say TDOC
6 016160?

7 A. It does.

8 MS. POLLY: Tricia, before you get into that,
9 can you either e-mail that around to us or share it in
10 the chat so that we can open it ourselves?

11 MS. HERZFELD: If I can figure out how to do
12 that, I am happy to do it.

13 MS. POLLY: Just because there are so many
14 documents, when I try to -- Tom's request was a great
15 one. It sounds like it doesn't really work here because
16 it's different numbers. But usually, whenever I try to
17 pull it up, it kind of locks my computer because they're
18 such a big batch of documents.

19 MS. HERZFELD: Yeah, it was one big giant
20 PDF. I will try to share it in the chat if I can figure
21 out how to do that.

22 MS. POLLY: And I'm happy, Tricia, for you to
23 also just e-mail it around to all of us.

24 MS. HERZFELD: It's pretty large, but I can
25 certainly try. Let's see if that works.

1 (Technical discussion.)

2 BY MS. HERZFELD:

3 Q. Sir, do see the document in front of you that
4 says TDOC 016160?

5 A. I do.

6 Q. And this appears to be a two-page document.

7 A. Uh-huh.

8 Q. Dated January 31st, 2019. And the title is
9 privately operated facility notification of
10 noncompliance. Do you know what this document is?

11 A. It's a noncompliance report.

12 Q. What is a noncompliance report?

13 A. It's the -- when contract monitors are aware
14 of an act of noncompliance, they issue a memo, such as
15 this report, documenting the noncompliant item. And
16 then they make the warden or the assistant warden aware
17 of it. And an action plan is developed to correct the
18 infraction or the noncompliance. Basically, it's part
19 of the contract monitor's review of compliance items on
20 a checklist that they do.

21 Q. Do you receive all of the noncompliance
22 reports about a facility when you're doing an audit?

23 A. When we do an audit, we ask for the
24 noncompliance reports for the time period under review
25 of the audit.

1 Q. Why do you ask for those?

2 A. So that we can have communications on what
3 problems the contract monitors are noting.

4 Q. Do you use those in evaluating your
5 recommendations for your audit?

6 A. We use those as part of the support for the
7 audit, yes.

8 Q. Would all of those be documented within the
9 audit?

10 A. Only if it was pertaining to one of our
11 findings, observations, or conclusions.

12 Q. So looking at this one, for example, the
13 location here is the Trousdale Turner Correctional
14 Center; is that correct?

15 A. It is.

16 Q. And here it's sent to Brandon Bellar, who is
17 the Trousdale County attorney. Is your understanding
18 that Trousdale County has some role within the contract
19 with the facility?

20 A. Yes. In actuality, the facility is
21 contracted with the county of Trousdale, and the county
22 of Trousdale contracts with the state.

23 Q. And then you're auditing the state, and part
24 of that is the compliance of the facility with the
25 various contracts; is that right?

1 A. Correct.

2 Q. And this one is dated January 31st, 2019. It
3 says that the audit scope here is count procedures,
4 10/1/18 through 12/31/18. Did I read that correctly?

5 A. Correct.

6 Q. And then it says: The TDOC employees making
7 observations, CMO Christopher Brun. Do you know what
8 CMO stands for?

9 A. That's the contract monitor for the
10 department located at Trousdale.

11 Q. So here they're talking about -- well, why
12 don't you tell me what your understanding is of the
13 noncompliance here.

14 A. When they do a count of the inmates at that
15 time -- they have a morning count, they have an evening
16 lockdown count. The count numbers totals are supposed
17 to be entered in TOMIS. And TOMIS is their inmate
18 management system software for the department of
19 correction.

20 Q. And in this noncompliance issue, what
21 information is being shared?

22 A. The total number of the count. The results
23 of the count, I guess.

24 Q. And in this case, it was noncompliant?

25 A. It was not -- yeah. Apparently, it was not

1 entered in the TOMIS.

2 Q. Could that create a safety issue?

3 MS. POLLY: Object to form.

4 MR. AUMANN: Objection to form.

5 THE WITNESS: Not outright, no. I don't
6 believe so.

7 BY MS. HERZFELD:

8 Q. Could that be caused by a lack of staffing?

9 MS. POLLY: Object to the form.

10 THE WITNESS: That's hard to say. I mean,
11 people doing the count get the count and somebody -- you
12 know, there's a person on staff that would enter the
13 count into TOMIS. It's not clear from this why the
14 count wasn't entered.

15 BY MS. HERZFELD:

16 Q. Is that something that your department would
17 look at, meaning the comptroller's department, when
18 you're doing an audit?

19 A. It would be something that we would note, but
20 again, based on the significance of things that we look
21 at, this would not be concerned as a major thing. A
22 broader issue of just entering information into TOMIS,
23 and I think we touched on some of that in the audit.

24 Q. And in here you have the response of the
25 contractor, Warden Washburn; is that right?

1 A. Correct.

2 Q. And he says that the chief of security will
3 extensively discuss this deficiency and expectations for
4 compliance with the responsible staff member. Do you
5 know if that was fixed?

6 A. Again, we did not look at this specifically
7 and verify this, no.

8 Q. So when those things happen, is it not within
9 the scope of the audit mandate of the department to
10 ensure that the various fixes that have been said that
11 they're going for those noncompliance reports had
12 actually happened?

13 A. That would be more at a macro level. We're
14 looking more -- how should I put this? Our objective at
15 that time was not to look specifically at the count
16 totals. We were looking more about, I guess at the
17 communication between the contract monitor and
18 Trousdale. We did not specifically check this item, no.
19 We had broader objectives.

20 Q. And I guess my broader question is -- and I
21 know that you all have very broad mandates on what it is
22 that you're supposed to look at. I'm trying to figure
23 out in the process of the world of monitoring these
24 contracts, does anybody look behind an assurance that is
25 given from the facility, like for example, has been done

1 here to ensure that that is actually happening?

2 A. The contract monitor should. And then the
3 department has a compliance group themselves that do
4 internal audits or internal reviews of the facilities.
5 And they would make note also.

6 Q. When you're saying department, you mean TDOC?

7 A. Correct, department of correction.

8 Q. So that would not be within the scope of what
9 is done at the comptroller's office?

10 A. It could be. Just for this particular audit,
11 it wasn't something we focused on in this area.

12 Q. I will move to the next one, which is marked
13 TDOC 016162.

14 A. Correct.

15 Q. This is another notification of noncompliance
16 dated January 31st, 2019, about drug testing.
17 Noncompliance for drug testing. It looks like people
18 were not being retested for their drug tests. Was that
19 something that was within the scope of the audit
20 performed by the comptroller's office?

21 A. I do believe we included that in the report.
22 At least the part that they were not documenting or not
23 conducting the drug tests, the random drug tests.

24 Q. And then it says here that Warden Washburn
25 was advised of the noncompliance by the contract

1 monitor. And then if you go with me to the next page,
2 on TDOC 016163, it talks about the response of the
3 contractor or corrective action taken; is that right?

4 A. Uh-huh.

5 MS. POLLY: Object to the form.

6 BY MS. HERZFELD:

7 Q. And then reading here, you have the response
8 of Warden Washburn and how he dealt with that issue; is
9 that correct.

10 A. Uh-huh.

11 Q. Is that a yes?

12 A. Yes.

13 Q. And going back to ensure that what he says
14 they had changed or they were going to do in the future,
15 that would be the responsibility of the contract monitor
16 to ensure that's correct and --

17 A. Yes.

18 Q. -- not the comptroller's office? Do I
19 understand you correctly?

20 A. Ultimately --

21 MS. POLLY: Object to the form.

22 THE WITNESS: -- it's the responsibility of
23 the contract monitor to ensure that that is taking
24 place, yes.

25 BY MS. HERZFELD:

1 Q. And would this have been one of the
2 notifications of noncompliance that your office, the
3 comptroller's office, would have looked at in
4 formulating your reports?

5 A. I can't speak to exactly if we looked at that
6 exact one, but I believe it would have been in a list of
7 other noncompliances, possibly.

8 Q. And you know that we've received a bunch of
9 documents from your office --

10 A. Correct.

11 Q. -- in preparation for today?

12 A. Uh-huh.

13 Q. Were you involved at all in the preparation
14 of providing those documents to us?

15 A. I was, yes.

16 Q. And those documents, do you know them all to
17 be your working papers, or were there any that were not?

18 A. I believe we included some information that
19 wasn't in the working papers, but in addition to the
20 working papers.

21 Q. Do you know what information was in addition
22 to the working papers?

23 A. I could not comment on all of that. It was a
24 lot of information that we sent you.

25 Q. Sure.

1 MS. HERZFELD: Tom, I think this would go a
2 whole lot easier for me if we kind of knew what section
3 of the documents that were produced were the working
4 papers versus the stuff that wasn't. Is there a way you
5 can deconstruct that?

6 MR. AUMANN: I'm not entirely sure. You
7 know, I sent on everything that we received from the
8 comptroller's office. So that might be hard to do. I
9 mean, I could try looking on a break, but as I sit here
10 right now, I don't know that I would be able to, other
11 than tell you I sent everything on to you.

12 MS. HERZFELD: Let's just go off the record
13 for a second.

14 (Off-the-record discussion.)

15 MS. HERZFELD: Okay, we're back on the record
16 after a semi-quick discussion and break. It appears
17 that we've agreed that Mr. Aumann and Ms. Maxwell are
18 going to identify, the best they can, what the Bates
19 range is for what would be -- what you consider to be
20 your working papers file. Does everybody agree that
21 that's the agreement?

22 MR. AUMANN: Yes.

23 MS. POLLY: Yes.

24 BY MS. HERZFELD:

25 Q. So I will just ask you generally then, sir,

1 do you know if these noncompliance reports are typically
2 included within the working paper files that would be
3 reviewed for the preparation of the audits?

4 A. They would be reviewed as part of our
5 planning work. They would be in our working papers if
6 it supports our conclusions or any of the test work that
7 we did at the facility or during the audit. We don't
8 put everything we look at into the working papers,
9 because sometimes it would just be way too many files.
10 But we put into the working papers what we use to
11 support conclusions that we've drawn, the test work that
12 we've done, and basically, you know, which is important
13 to the work that we're doing.

14 Q. And so I think with that agreement from your
15 counsel, I can dispense with the rest of my questions,
16 then, about this Exhibit 5.

17 MS. HERZFELD: We've been going an hour. Do
18 you all want to take a five-minute break?

19 THE WITNESS: Sure.

20 MS. POLLY: Fine by me.

21 (Recess observed.)

22 BY MS. HERZFELD:

23 Q. I am going to show you -- again, if I can
24 figure it out. Do you see something that is marked TDOC
25 012403 on your screen?

1 A. Uh-huh.

2 Q. I will let you take a look at that for one
3 second while I figure out how to share it with the
4 others.

5 MS. HERZFELD: We'll mark this as Exhibit 6.
6 (Exhibit 6 was marked.)

7 BY MS. HERZFELD:

8 Q. Okay, sir, do you recognize this e-mail?

9 A. I do.

10 Q. And it is from Christopher Brun and to
11 Vincent Finamore. Is that you?

12 A. It is.

13 Q. Is this an e-mail that would have been kept
14 in the ordinary course of your business at the
15 comptroller's office?

16 A. Yes.

17 Q. I will give you an opportunity to read
18 through this e-mail. I am going to try to figure out
19 how to let you control the screen.

20 A. I've downloaded it.

21 Q. Oh, you have? Great. Do you mind taking a
22 look at it for me. I'll give you a minute to review.

23 A. Okay. Okay.

24 Q. Do you recall what was happening in this
25 e-mail?

1 A. Yes. I was e-mailing him part of the 2017
2 audit. And we were drafting -- we were in the report
3 writing part of -- phase of it. We were -- I was
4 sending him an e-mail just to verify that the instances
5 of noncompliance with the post, that he agreed that they
6 were correct. Basically, I'm e-mailing him, showing him
7 the evidence that I have and giving him an opportunity
8 to, if they -- if one of the shifts were filled, you
9 know, to correct me where I was wrong.

10 And he basically, you know, was saying that
11 those -- what I was saying were the critical posts, he
12 believed were critical posts, and that he addressed the
13 -- his last monitoring noncompliance report. He's
14 saying that he addressed this issue with CoreCivic and
15 that they're developing a plan of action. Basically,
16 this was just me communicating with him some of the
17 information that I had and that was -- would be going
18 into the findings.

19 Q. And ultimately, did that end up in the
20 findings?

21 A. It did.

22 MS. HERZFELD: Now I'm going to move you over
23 to what we'll mark as Exhibit 7.

24 (Exhibit 7 was marked.)

25 BY MS. HERZFELD:

1 Q. Do you see the document TDOC 013292.

2 A. Uh-huh.

3 Q. I'm going to try to drop it in the chat as

4 well. Everyone should have it in the chat. Mr.

5 Finamore, if you will go ahead and take a look at it.

6 This e-mail is dated August 11th, 2017; is that correct?

7 A. Uh-huh.

8 Q. And the subject is Trousdale Turner request

9 for staffing pattern revision. Did I read that

10 correctly?

11 A. Yes.

12 Q. And it's from Christopher Brun, who's the

13 contract monitor, to you and Greg Spradley; is that

14 correct?

15 A. Correct.

16 Q. Who is Greg Spradley?

17 A. He was one of my staff auditors.

18 Q. If you'll go ahead and just take a second to

19 review this e-mail.

20 A. Uh-huh.

21 Q. Have you had opportunity?

22 A. Yes.

23 Q. Is this an e-mail that would have been kept

24 in the ordinary course of your business at the

25 comptroller's office?

1 A. Yes, sir.

2 Q. Do you recall what this e-mail was about?

3 A. Chris Brun was sending us a copy of a
4 recently approved staffing pattern. DC Woodall was the
5 chief of operations at the department of correction. He
6 is the one that was over -- you know, responsible for
7 the prison oversight. And basically, this is a staffing
8 pattern that he has reviewed and signed off on and has
9 returned back to TTCC.

10 Each time Trousdale is going to make an
11 adjustment to their staffing pattern, they are to have
12 the approval of the department. So this is a recent
13 change and he was sending us the newly approved staffing
14 pattern.

15 MS. HERZFELD: And Tom, I don't think when
16 this was produced the PDF that was attached was produced
17 behind it. If I am wrong, somebody correct me, but I
18 think it was just the e-mail and not the PDF. So if it
19 has been produced, if somebody could help identify it
20 for me, where the Bates number is after the deposition,
21 I would be greatly appreciative.

22 MR. AUMANN: Okay, yes, so this is on 13292.
23 Yeah, we will look into that.

24 MS. HERZFELD: Great. Thanks so much.

25 THE WITNESS: Yeah, I believe we did send

1 that and it should be in the actual audit itself. It's
2 in the working papers.

3 MS. HERZFELD: Okay. Fantastic. We will now
4 move on.

5 (Exhibit 8 was marked.)

6 BY MS. HERZFELD:

7 Q. Okay, you should see in front of you now what
8 we'll mark as Exhibit 8, TDOC 013524. Do you see that
9 document?

10 A. I don't see the document. I see your file
11 manager there.

12 Q. Hold on one second for me. How about now,
13 TDOC 013524?

14 A. Uh-huh.

15 Q. I'm back on a roll, lovely. And I will put
16 that in the chat for you all. This is Exhibit 8, TDOC
17 013524, a one-page document. And this says meeting with
18 Commissioner Parker, dated Thursday, November 8th, 2018.
19 Did I read that correctly?

20 A. Correct.

21 Q. And it's from Debra Loveless to you; is that
22 correct?

23 A. Correct.

24 Q. And is this an e-mail that would have been
25 kept in the ordinary course of business dealings at the

1 comptroller's office?

2 A. Yes.

3 Q. In this e-mail, what is happening? Do you
4 recall it?

5 A. Yes, this was after the 2017 audit, after it
6 was released and after the hearing. This was a meeting
7 that Commissioner Parker requested to have with the
8 comptroller. And it was about -- the contracts were
9 being renegotiated with CoreCivic and there was some
10 question. They wanted some question -- or to hear what
11 the comptroller had to say about adjusting liquidated
12 damages within the contracts. The rate that the
13 liquidated damages were set. And it was, if I recall,
14 pretty steep for Trousdale, as well as Hardeman County.

15 So that was -- Mr. Parker was requesting to
16 have that meeting with the comptroller. And the
17 comptroller asked me to attend also, and give him some
18 guidance on what was going on.

19 Q. Do you know what the result of that meeting
20 was?

21 A. Yes, ma'am. Basically, the comptroller told
22 him that it's not our place to say what or give advice
23 as to what should be in a contract. That the rates that
24 were in the contract are what the department agreed to.
25 If they -- you know, they would need to, I guess

1 negotiate with CoreCivic to come with different rates if
2 they wished to do that.

3 We just ask that if you do make a change,
4 that you document what those changes are, and that we --
5 so that we can review them during the next audit or be
6 aware of the changes. It wasn't our place to give
7 advice on how the department should, you know, basically
8 set the rates in their contracts.

9 Q. When you say the department, you mean TDOC?

10 A. Correct.

11 Q. Was TDOC taking the position that the
12 contractual fines were too extreme for Trousdale and
13 Hardeman County, that it should be raised or lowered?

14 MS. POLLY: Object to the form.

15 THE WITNESS: They were just presenting
16 information that the fines would be rather steep.

17 BY MS. HERZFELD:

18 Q. And who was it that was presenting that
19 information at the meeting?

20 A. Wes Landers.

21 Q. Who is Wes Landers?

22 A. He was the chief financial officer at the
23 time.

24 Q. For which department?

25 A. Department of correction.

1 Q. Was Commissioner Parker at that meeting?

2 A. Commissioner Parker was at the meeting, yes.

3 Q. Did Commissioner Parker take a position on
4 the fines?

5 A. He was -- you know, he was there with Wes
6 Landers. And together, they were just explaining to us
7 how steep the fines would be based on the rate, and that
8 they had a concern that this would be very detrimental
9 to CoreCivic. And you know, keeping them as a
10 contractor could influence, you know, I guess the
11 relationship between them.

12 I am not sure I am phrasing that right, but
13 I'm just saying that he had a concern that it was a lot
14 of money. And in the course of business, that would be
15 a concern to any company that would have fines, you
16 know, levied against them. And certainly, the
17 department being contracted to CoreCivic, you know, it's
18 in their interest to keep CoreCivic housing prisons and
19 with their contracts. So they just had a concern that
20 the rate they agreed to would be a lot -- amount to a
21 substantial amount of money.

22 Q. And the fines, your understanding is, would
23 be levied if there were violations of the contract?

24 A. Correct. This was part of the contract
25 called liquidated damages. And basically, under certain

1 violations, under certain circumstances, if they
2 occurred, they qualify for liquidated damages to be
3 assessed against CoreCivic.

4 (Exhibit 9 was marked.)

5 BY MS. HERZFELD:

6 Q. I'm going to show you what I'm I've marked as
7 Exhibit 9. You should see it on your screen, TDOC
8 014907. Do you see it?

9 A. I do.

10 Q. I will put it in the chat. You can go ahead
11 and take a look at it. This is marked as Exhibit 9.
12 It's an e-mail dated Thursday, November 8th, 2018 re:
13 CoreCivic contracts from Betty Stanton to Vincent
14 Finamore. Did I read that correctly?

15 A. Yes.

16 Q. And you are Vincent Finamore; is that right?

17 A. I am.

18 Q. And Betty Stanton is whom?

19 A. Secretary for Comptroller Wilson at the time.

20 Q. Have you had an opportunity to review the
21 e-mail?

22 A. I have.

23 Q. Do you recall what this e-mail was about?

24 A. Yeah, it was giving me a parking space. She
25 was saying for the meeting that she reserved a parking

1 space for me, because we were meeting in the
2 comptroller's office in the state capitol.

3 Q. And when you're talking about meeting, is
4 that the meeting we were just discussing, the meeting
5 between TDOC and the comptroller's office?

6 A. Yes.

7 Q. And then if you'll switch to the second page,
8 which is marked TDOC 014908. It looks like you're being
9 forwarded an e-mail between Debbie Inglis, Justin
10 Wilson, and Dwight Tarwater. Do you see where I am?

11 A. Uh-huh, I think so. Tarwater, yes. I see
12 it, yes.

13 Q. And who is Mr. Tarwater?

14 A. I do not remember. He might have worked for
15 the governor's office. Maybe Stephanie might know. I
16 am not sure.

17 Q. Do you recall if Mr. Tarwater is a lawyer?

18 A. I do not recall.

19 Q. And Justin Wilson, who is that?

20 A. Former comptroller of the State of Tennessee.

21 Q. Was he comptroller at the time that you were
22 having these conversations?

23 A. He was.

24 Q. And then Debbie Inglis, you said, was his
25 assistant?

1 A. No, Debbie Inglis is an attorney with the
2 department of correction.

3 Q. So this e-mail that's being forwarded says
4 from Debbie Inglis to Justin Wilson and Dwight Tarwater:
5 In preparation for upcoming meeting, I have attached the
6 contracts for the CoreCivic operated facilities. The
7 liquidated damages schedule is an attachment in each
8 contract. You will note that in the Trousdale contract,
9 the multiplier is \$250, while in the other contracts, it
10 is \$25. Did I read that correctly?

11 A. You did.

12 Q. And then Comptroller Wilson forwards that
13 e-mail to you on April 10th, 2018? Do you see where I
14 am?

15 A. I do.

16 Q. And then he says: I suppose they're going to
17 want us to reapprove any penalty they might assess.
18 Something we ain't about to do. Did I read that
19 correctly?

20 A. Correct.

21 Q. Do you know what Mr. Wilson was referring to
22 in this e-mail?

23 A. Yes, he was, again, speculating on what the
24 department may be wanting to meet with us about and to
25 ask us. And he's just stating that that's -- we're not

1 about to give advice on what should be in a contract for
2 the department of corrections.

3 Q. And that's consistent with your conversations
4 with the comptroller, Mr. Wilson?

5 A. Yes.

6 Q. Very good. I am going to show you now what
7 we will mark as Exhibit 10. Do you see it in front of
8 you?

9 A. I do.

10 Q. It says TDOC 012355. Do you see it on your
11 screen?

12 A. I see it on the screen, correct.

13 (Exhibit 10 was marked.)

14 BY MS. HERZFELD:

15 Q. And I will also put it in the chat. And this
16 is a two-page document. It says staffing vacancies at
17 Trousdale Turner Correctional Center, reporting from
18 10/1/2018 to 10/31/2018, Attachment G. Did I read that
19 correctly?

20 A. I believe so, yes.

21 Q. And have you ever seen a chart like this
22 before?

23 A. I have not seen this specific chart, no.

24 Q. Do you recognize this chart? Is it a chart
25 that is usually kept anywhere, do you know?

1 A. It looks like this is a chart kept by the
2 department of correction.

3 Q. Have you seen any other charts that look like
4 this when you were doing your review of Trousdale?

5 A. We may have looked at -- I think we have some
6 of these in our current past audit. But I personally
7 didn't look at them myself. I believe I know what this
8 is.

9 Q. And what do you think that it is?

10 A. It's basically a list of levied liquidated
11 damages for the violations of the positions that were
12 not filled. There is a 45-day requirement that if a
13 correctional officer position is -- remains unstaffed
14 for over 45 days, then they are allowed to be assessed
15 for liquidated damages. And the liquidated damages
16 would be the assessment, I guess tally or total that the
17 department is calculating.

18 Q. Do you know if these are kept monthly or
19 quarterly?

20 A. I presume that the former financial officer
21 for the department of correction kept these, and I'm not
22 familiar with his process.

23 Q. Okay.

24 (Exhibit 11 was marked.)

25 BY MS. HERZFELD:

1 Q. I am going to show you what we've marked as
2 Exhibit 11, TDOC 015330. It's a two-page document. I
3 will also put it in the chat. Do you recognize this
4 document, sir?

5 A. I do.

6 Q. What do you recognize it to be?

7 A. My notes of the meeting.

8 Q. And it's dated Monday, November 26, 2018; is
9 that correct?

10 A. I believe so.

11 Q. And these are your notes?

12 A. Correct. Yeah, these are the typed-up
13 version of my notes.

14 Q. If you will take a minute just to review it.
15 Let me know when you're finished.

16 A. Oh, this is a different meeting. Okay, hold
17 on. Yeah, I believe this was a different meeting.

18 Q. Do you recall what that meeting was about?

19 A. As discussed, it was also a meeting about the
20 contract.

21 Q. And did you often attend meetings with the
22 commissioner of the department of corrections?

23 A. Only when asked to by the -- you know, in
24 this case, we were asked to attend by the comptroller.

25 Q. How many meetings did you have -- did you

1 attend with the commissioner of TDOC about Trousdale?

2 A. These are the only two meetings.

3 Q. And you took these two notes?

4 A. I took these notes, correct.

5 Q. Do they accurately reflect what happened in
6 that meeting?

7 A. I believe so, yeah.

8 Q. You should have in front of you now what
9 we'll mark as Exhibit 12, TDOC 014498.

10 (Exhibit 12 was marked.)

11 MS. HERZFELD: And I just put it in the chat.
12 Does everyone have it, Exhibit 12?

13 MS. POLLY: I do.

14 MR. AUMANN: Yes.

15 BY MS. HERZFELD:

16 Q. And if you could take a look at it. It's an
17 e-mail that says prescope meeting notes, dated December
18 26, 2018; is that correct?

19 A. Uh-huh.

20 Q. And it's sent from De'Aundrea Pointer to
21 Melissa Boaz, to you, and to Jaclyn Clute. Did I read
22 that correctly?

23 A. Correct.

24 Q. Who is De'Aundrea Pointer?

25 A. She was a staff auditor on the 2020

1 performance audit.

2 Q. And Melissa Boaz?

3 A. Melissa Boaz and Jaclyn Clute were my
4 co-in-charges on the audit.

5 Q. What is a prescope meeting?

6 A. At the end of our planning, basically when
7 we're doing our background research and developing the
8 objectives, items that we are going to consider for the
9 audit to look into, we come up with a -- we have a scope
10 meeting with upper management to discuss the issues that
11 we've identified during the planning. And we talk about
12 and narrow our focus on the objectives that we want to
13 include in the audit for this time.

14 Q. It looks like attached to this e-mail is what
15 is called planning notes. Do you see that?

16 A. Uh-huh.

17 Q. Do you know who took those planning notes?

18 A. I'm thinking I did, but there may have been
19 several of us that kept notes. Usually that's the case,
20 we -- you know, each of us take some notes and then we
21 compile them together.

22 Q. Will you take a look at the notes that were
23 attached here and let me know if they're an accurate
24 reflection of the meeting that you had?

25 A. I am not sure those are the actual meeting

1 notes. I think these are ideas. So the top part where
2 it says staffing ideas last time we looked at, that's
3 just some notes that I made about what we did in the
4 2017 audit. Possible issue incident reporting. So
5 these are coming up with ideas to present to management,
6 possible things to look at. So these are not notes of
7 the actual meeting.

8 Q. This is more your brainstorming?

9 A. Yeah, this is just brainstorming, thinking
10 out loud. Just jotting down some notes for myself to
11 possibly bring up during the discussions.

12 (Exhibit 13 was marked.)

13 BY MS. HERZFELD:

14 Q. Now I'm showing you Exhibit 13, and that is
15 TDOC 011758, and it is a seven-page document if you'll
16 take a look at it. I will also put it in the chat. If
17 you'll go ahead and review that and let me know when you
18 get a chance to glance at it.

19 Before you have to read the whole thing, I
20 will ask you, it's dated Monday, January 7th, 2019; is
21 that correct?

22 A. Correct.

23 Q. It says that it is the 1/7 staff meeting; is
24 that right?

25 A. Correct.

1 Q. And do you know if these are meeting minutes
2 or notes that were taken during that meeting?

3 A. These are just my notes of what we covered in
4 the meeting.

5 Q. So you took these notes?

6 A. I believe I did, yes.

7 Q. Do you have any reason to think that anything
8 contained within it is not accurate?

9 A. I don't believe so.

10 MR. AUMANN: Hey Tricia?

11 MS. HERZFELD: Yes.

12 MR. AUMANN: Just a second. I just heard
13 from Erin that she's having problems with her computer.
14 She's not on screen. So I just want to make sure if Joe
15 is -- I see him on screen, if he is available if
16 CoreCivic has any objections. Okay, I just got an
17 e-mail from her that yeah, Joe is out, so if we could
18 just pause to let --

19 MS. HERZFELD: Sure. We'll go off the
20 record.

21 (Off-the-record the court reporter
22 read back testimony.)

23 MS. POLLY: This is Erin Polly. My computer
24 shut down and no one on behalf of CoreCivic was
25 participating in the deposition from the time that the

1 witness was looking at Exhibit 11 up until now. Other
2 counsel did not realize my absence until I notified them
3 of it through an e-mail on my cell phone. We have
4 agreed that we will just lodge an objection to the form
5 to everything that took place between when the witness
6 was reviewing Exhibit 11 up until now, so that if an
7 issue does arise once we receive the transcript later
8 on, we've made our objection now.

9 MS. HERZFELD: And we're in agreement with
10 that.

11 BY MS. HERZFELD:

12 Q. Okay, moving on, Exhibit 13, you've had an
13 opportunity to review it, sir?

14 A. Yes.

15 Q. And I think you had said that you believe
16 these to be your notes; is that correct?

17 A. Correct.

18 Q. When you reviewed them, is there anything in
19 these notes that you think is inaccurate?

20 A. I don't believe so.

21 Q. And they're an accurate reflection of your
22 recollection of the meeting?

23 A. Yes.

24 (Exhibit 14 was marked.)

25 BY MS. HERZFELD:

1 Q. I'm going to show you what we've marked as
2 Exhibit 14. Do you see that in front of you?

3 A. Yes.

4 Q. TDOC 012554.

5 A. Can we just go back a second?

6 Q. Sure.

7 A. The 12 or 13, that's a meeting that we had
8 with our staff, right?

9 Q. Yes. Exhibit 13.

10 A. Yeah, okay. Yeah, that was the staff at the
11 beginning of the audit.

12 Q. Did you need to see it again?

13 A. No, I just wanted to make sure that we
14 weren't thinking it was a different meeting, like a
15 scope meeting.

16 Q. And so Exhibit 14 should be what is in front
17 of you now, TDOC 012554. It says comptroller input on
18 preliminary objectives, dated Wednesday, January 30th,
19 2019. Did I read that correctly?

20 A. I believe so, yeah.

21 Q. That's from Dena Winningham?

22 A. Correct.

23 Q. And Dena Winningham is who?

24 A. Manager, audit manager.

25 Q. And that's sent to you, and Melissa, and

1 Jaclyn; is that right?

2 A. Correct.

3 Q. If you'll look down at the last bullet point
4 on her e-mail.

5 A. Uh-huh.

6 Q. Do you see what I'm talking about? Do you
7 see the part that I've highlighted here in yellow?

8 A. I do. I see it, yeah.

9 Q. It says: The bullet point under contract
10 requirements concerning breach of contract should be
11 deleted. I know that was a legislative concern in the
12 follow-up correction hearing in December, and Julie also
13 emphasized it at our group meeting before Christmas.
14 But the view is that it is a legal question that we
15 can't address. Did I read that correctly?

16 A. Correct.

17 Q. Do you know what they're talking about there?

18 A. I do not recall specifically what that is
19 about. I believe it's about the fact that CoreCivic --
20 that the state is technically -- has by statute only
21 contracted with one private prison. And that's South
22 Central. And we were thinking about bringing that to
23 the legislature's attention. The Trousdale, Hardeman
24 County and Whiteville are all contracted through the
25 counties and not directly through the state.

1 And the way the statute reads right now,
2 technically the state is only allowed to contract with
3 one private prison. But that -- it was decided that
4 that is a legal question. It's not something that we
5 can review as performance-wise, so they were going to
6 let that go.

7 Q. Do you know if it was ever addressed through
8 legal?

9 A. Beyond this point, we moved on with our audit
10 and I do not know if it was filed with legal or what the
11 status of that question is.

12 Q. The question about where it says, I know this
13 is a legislative concern in the follow-up hearing. Do
14 you know what she's talking about there?

15 A. Yeah, it was mentioned during the hearing,
16 some questions about how the state is contracted with
17 CoreCivic and the nature of the relationships and the
18 agreements. It was brought up during, I think, one of
19 the hearings.

20 Q. Sir, do you know who Lee Dotson is?

21 A. Yeah, he's the department of corrections --
22 he's the one for 2020 that is over the prisons, the
23 assistant commissioner of prisons.

24 Q. I am putting on your screen what we'll mark
25 as Exhibit 15, TDOC 013491. It's a two-page document.

1 The subject matter is Lee Dotson. And it's dated
2 Monday, February 4th, 2019.

3 (Exhibit 15 was marked.)

4 BY MS. HERZFELD:

5 Q. Do you see where I am?

6 A. I do.

7 Q. Are these notes?

8 A. These are, basically, my notes of questions
9 that we were going to ask Mr. Dotson, I believe. Yeah,
10 this is a part of the IMOF, which is a standard
11 questionnaire we do with all upper management when we do
12 an audit.

13 Q. Did you have that meeting with Mr. Dotson?

14 A. I believe we did, yes.

15 Q. Did he answer the questions?

16 A. I'm sure he did.

17 Q. Do you know if they were ever answered in
18 writing?

19 A. We would have written them up and put them
20 into -- in T-mate, our working papers.

21 Q. Do you recall having any concerns based on
22 any of the answers that were given to you by Mr. Dotson?

23 A. I cannot recall that we had any at the
24 moment. I would have to look at my notes of the
25 interview. But whatever information we gained would

1 have been to help us define what we wanted to look at.

2 Q. Okay, sir, I've now put in front of you what
3 we'll mark as Exhibit 16. It says weekly sanctions
4 report, TDOC 016008. It's a two-page document.

5 A. Okay.

6 (Exhibit 16 was marked.)

7 BY MS. HERZFELD:

8 Q. Have you ever seen a weekly sanctions report
9 before?

10 A. I don't recall.

11 Q. And this is an e-mail that is sent to you?

12 A. I guess it is, yes. Oh, yes. This is a
13 weekly sanctions. This is dealing with parole officers.

14 Q. When you say it's dealing with parole
15 officers, do you know what that means?

16 A. Yes. They also -- the department of
17 corrections, another half of it, is not just the prisons
18 that they operate, but probation and parole is now under
19 the department of corrections as well. And their weekly
20 sanctions is basically sanctions that judges can levy on
21 parolees, I believe, when they break -- when they break
22 a rule of their being on parole.

23 So basically, there's -- the department is
24 trying to come up with standardized sanctions that
25 judges can follow in a way, you know, to help be

1 objective on how the sanctions are levied. But
2 ultimately, right now judges have the ability to decide
3 how to handle when a probationer violates their parole.

4 Q. So that doesn't have anything to do with the
5 audit at Trousdale? Well --

6 A. No.

7 Q. -- TDOC vis-a-vis Trousdale? Okay, great.
8 If you will flip with me to the second page. So if I am
9 understanding you correctly, it sounds like that second
10 page, this is not the attachment, this is just a
11 separate document, TDOC 016009, dated Monday, February
12 4th?

13 A. These are just notes of, I believe, questions
14 we wanted to discuss with Mr. Landers in our interview
15 with him, his planning interview.

16 Q. And again, who is Mr. Landers?

17 A. Mr. Landers was the former chief financial
18 officer for the department of corrections.

19 Q. How many times did you meet with him in
20 preparation for your audit?

21 A. At least three times. And I believe Melissa
22 and Jaclyn met with him several times during the audit
23 to discuss questions.

24 Q. Should there be notes that reflect what
25 happened in those meetings?

1 A. Yeah, all of the notes to every interview we
2 had with him will be in the working papers.

3 Q. Great. Thank you very much.

4 (Exhibit 17 was marked.)

5 BY MS. HERZFELD:

6 Q. I'm showing you what we've marked as Exhibit
7 17, TDOC 013295. Is this an e-mail sent from you to
8 Carolyn Jordan?

9 A. Yes.

10 Q. Who is Carolyn Jordan?

11 A. Carolyn Jordan is the -- she's basically the
12 oversight person for the department of correction for
13 the CoreCivic facilities. She's the one that supervises
14 or oversees the contract monitors.

15 Q. So in this e-mail, you're asking Ms. Jordan
16 to have Hardeman and Whiteville facilities provide a
17 report that matches the information in this report from
18 Trousdale; is that right?

19 A. Correct.

20 Q. And it looks like the attachment is an Excel
21 spreadsheet that says, close max PC. Did I read that
22 correctly?

23 A. Correct. Yes.

24 Q. Do you know what type of information is in
25 that Excel spreadsheet?

1 A. Yes, that was looking for the number of
2 inmates at the facility that are designated as close or
3 max security level.

4 Q. And that was -- was that a report that you
5 would get routinely from Trousdale?

6 MR. AUMANN: Objection to form.

7 THE WITNESS: It's a report that if we were
8 looking into an issue, that we would routinely request,
9 yes.

10 BY MS. HERZFELD:

11 Q. And do you know how often you would receive a
12 report like that from Trousdale?

13 A. We would only receive it if we asked for it.

14 Q. Would those reports be included in your
15 working papers?

16 A. They are in the working papers, correct.

17 Q. Okay, great.

18 MS. HERZFELD: And Tom, again, I don't know
19 that I have located the attachment for this e-mail, so
20 if that's one other thing, we could just figure that
21 out, that would be fantastic.

22 MR. AUMANN: I'll put it on the to-do list.

23 MS. HERZFELD: Thanks so much. It's big
24 production, so I could have missed it or perhaps, you
25 know, it just got overlooked. Okay, Exhibit 18.

1 (Exhibit 18 was marked.)

2 BY MS. HERZFELD:

3 Q. Sir, I'm going to show you what we have
4 marked as Exhibit 18, TDOC 029720. It's a six-page
5 document. Do you see that in front of you?

6 A. I do.

7 Q. This says that it's the Tennessee Department
8 of Correction corrective action plan six-month follow-up
9 report submitted July 3rd, 2020. Did I read that
10 correctly?

11 A. Correct.

12 Q. Is that the six-month follow-up report that
13 we talked about earlier in the deposition?

14 A. Yes.

15 Q. So this would be the follow-up to the 2020
16 audit; is that correct?

17 A. Correct.

18 Q. If I understood your testimony before, this
19 comes -- this six-month follow-up report comes from TDOC
20 to the comptroller's office, and then it's put in a file
21 until there is another audit; is that correct?

22 A. Until the next audit, yes.

23 Q. And so there's no follow-up that is done to
24 verify that any of the information in this report that's
25 been reported by TDOC is accurate. Not by the

1 comptroller's office; is that right?

2 MS. POLLY: Object to the form.

3 THE WITNESS: Not at the time that we receive
4 it, no.

5 BY MS. HERZFELD:

6 Q. Okay, great. Thank you so much, sir.

7 A. We would, obviously, when we begin the next
8 audit, it would possibly -- you know, we would possibly
9 check into these, if not all of them. Well, we would,
10 as part of the next audit, we look at the prior findings
11 and conclusions, and we verify that the corrective
12 action has been taken. So it is part of the audit, it's
13 just we don't do it until we begin the next audit.

14 Q. Thank you for that. And then on your screen
15 now, there should be what we'll mark as Exhibit 19, TDOC
16 010081.

17 (Exhibit 19 was marked.)

18 BY MS. HERZFELD:

19 Q. Do you see that on your screen?

20 A. Yes.

21 Q. And it looks like it's a two-page transcript
22 of a chat. If you will go ahead and take a look at it,
23 I will also drop it into the chat here.

24 A. Okay.

25 Q. Do you have a chat function at work?

1 A. We do.

2 Q. Is that something that you use with people
3 within the department?

4 A. With the comptroller's office, amongst
5 ourselves.

6 Q. Yeah, when I said the department, I'm sorry,
7 I meant the comptroller's office, yes. Amongst
8 yourselves internally, you use this chat?

9 A. Uh-huh.

10 Q. Do you typically archive those chats for open
11 records purposes?

12 A. I think I kept it for myself.

13 Q. Who is David Wright?

14 A. He was the co-in-charge on -- at this time --
15 I don't remember when this was. When was this? Is
16 there a date when this was?

17 Q. I have not seen one.

18 A. Because I believe this is the 2020 audit. He
19 was a staff auditor. But it might have been for the --
20 if it was the 2017 audit, he was a co-in-charge.

21 Q. It doesn't look like we can tell from this
22 chat which year it's from.

23 A. I think it's the 2017 audit.

24 Q. And if we'll go through it, he texted you at
25 8:39: Hey, Vince, what section have you not done any

1 work in so I can help? Not really sure where to step in
2 because I do not want to duplicate anything that you may
3 have done. Did I read that correctly?

4 A. Okay.

5 Q. And then you write back and say that you
6 haven't done certain sections and you kind of talk about
7 that?

8 A. Yeah. This, I think, was at the beginning of
9 the audit, so we were starting to work through our
10 planning steps. And so I had not gotten to those
11 sections yet. So he was asking which ones could he
12 start working on.

13 Q. Have you had an opportunity to review the
14 entire chat?

15 A. No, not yet.

16 Q. Why don't you just go ahead and review that
17 and then I can ask you some questions about it.

18 A. Okay.

19 Q. Did you recall this conversation at all?

20 A. Vaguely.

21 Q. What was it about?

22 A. Basically, like I said, trying to work on the
23 planning steps. He was asking me some questions about
24 the previous audits. Obviously, we would be following
25 up, looking to see if they were resolved. And I think,

1 you know, we're just discussing moving forward, getting
2 started on the audit. He has a daughter. I gave him a
3 sleeping bag to use because she wanted to go camping.
4 And like I said, just had trouble concentrating a little
5 bit there.

6 And we're just talking about trying to come
7 up, anything to do with the entrance conference. So
8 this is basically the very beginning of the audit, and
9 we're just starting to get into the work. I make a
10 reference, I haven't read it yet. I just hadn't gotten
11 to reading some of the policies and procedures yet at
12 that time. Like I said, it's the very beginning of the
13 audit and we're collecting documentation and we're
14 putting it into the audit to review.

15 Q. Do you know why you saved this particular
16 chat? Was there anything of significance to it that
17 made you save it?

18 A. Honestly, I don't remember. I'm sorry.

19 Q. It's okay. You saved this one and it's the
20 only one that I saw. And so I was just curious if there
21 was a reason why this one was saved.

22 A. Yeah, I'm trying to figure out why I saved,
23 too.

24 Q. Great. It does say right here, if you'll
25 look with me on the screen where I'm highlighting:

1 David seems to say he does not want to confuse any
2 potential future peer review group. What is a peer
3 review group in the audit process?

4 A. All of our audits are, as part of -- how
5 should I say this? It's part of a professional self-
6 check, so to speak. We do internal peer reviews so we
7 have audit teams within our audit office that will
8 review our audits to ensure that, you know, we've done a
9 good job. We've done -- that our work is good. Kind of
10 a quality review check.

11 And we also participate in a national
12 organization where other states -- we go and audit other
13 state's audits to, you know, comment on the quality of
14 their audits. And we also have peer reviewers come into
15 our office that review our audits. So when we're
16 documenting our working papers, we like to make sure
17 things are clear so when a peer reviewer comes in, they
18 can understand.

19 We generally like to have working papers
20 that, if anybody opens it up, they will be able to
21 understand what they are. And just thinking of
22 potential peer review is one way to think that. So a
23 future peer reviewer could be somebody from Colorado,
24 say, or another state audit's office that comes in and
25 would look at our working papers.

1 Q. Do you know if either of the 2017 or 2020
2 audits were peer reviewed?

3 A. I believe the 2017 was. One of them was. I
4 believe one of them was. I can't remember if it was the
5 '20 or the 2017.

6 Q. Do you know who peer reviewed it?

7 A. I do not recall, no.

8 Q. I'm putting on the screen what we're going to
9 mark as collective Exhibit No. 20. It starts with TDOC
10 013562.

11 (Exhibit 20 was marked.)

12 BY MS. HERZFELD:

13 Q. Do you see that on the screen?

14 A. I do.

15 Q. I will put it in chat. I will submit to you
16 that it is a collection of news articles that were in
17 the production that were produced to us. You should now
18 have it in the chat as well.

19 A. Uh-huh.

20 Q. And it looks like all of those news articles
21 reference Trousdale Turner at some point. And you can
22 feel free to take a look at them. But my question is
23 actually kind of basic. Why is it that I am finding
24 news articles about Trousdale in the production? Did
25 somebody collect those as part of the audit process?

1 A. Well, like I said, at the beginning of an
2 audit in our planning, we are doing the background
3 research of the entity and agency. At that time,
4 Trousdale Turner was in the news and the legislators
5 were aware of it. It was a big concern. I guess there
6 were -- you know, a lot of incidents were happening at
7 the facility. So it was making a lot of press. We were
8 documenting that and reading the news. And it's just
9 part of collecting information on an entity that we're
10 auditing.

11 MS. HERZFELD: Thank you. I don't think I
12 have any more questions for you. You've been a very
13 fine witness and thank you for sitting here and dealing
14 with my technical difficulties in the beginning. But I
15 don't have any more questions, so I'm happy to pass the
16 witness.

17 THE WITNESS: Okay, thank you.

18 MS. POLLY: Tom, would you all like to go
19 first?

20 MR. AUMANN: Feel free to go first.

21 MS. POLLY: I do have some questions. I
22 would like to take a restroom break and then I think on
23 our end, we will need to probably take a lunch break for
24 our meeting. So I am fine to go ahead and take a break
25 now and come back later or start a little bit of what we

1 can do, take a lunch break, and then come back.

2 MS. HERZFELD: How much questioning do you
3 think you have? How long?

4 MS. POLLY: Thirty minutes to an hour.

5 MS. HERZFELD: Tom, how much time do you
6 think you have?

7 MR. AUMANN: I don't anticipate having much
8 of anything. I will consult with Nikki. And I don't
9 imagine that we'll have too much.

10 MS. HERZFELD: Maybe let's just try to take a
11 five-minute break and push through. Maybe you can get
12 done before lunch.

13 MS. POLLY: That's fine. Tom, while you guys
14 are on the break, do you want to maybe go first just
15 because yours -- sounds like yours might be a little
16 shorter than mine.

17 MR. AUMANN: I don't know that we will have
18 any questions. So Nikki and I will consult and if we
19 have any brief ones, we will go ahead. If not, we will
20 just turn it over to you.

21 MS. POLLY: Okay, that's great.

22 (Recess observed.)

23 MR. AUMANN: We don't have any questions on
24 TDOC's end at this time.

25 EXAMINATION BY MS. POLLY:

1 Q. Mr. Finamore, my name is Erin Polly. Joe
2 Welborn and I represent the CoreCivic defendants in this
3 case. I have just a few questions for you. I just want
4 to get a little bit of background on you. Can you tell
5 me where are you from originally?

6 A. Where I'm from, like I was born?

7 Q. Yeah. Where did you grow up?

8 A. I was born in Michigan, Ann Arbor Michigan.
9 And I moved when I was 10 to Columbia, South Carolina.

10 Q. How long have you been here in Tennessee?

11 A. Since 1995.

12 Q. And Ms. Herzfeld asks questions a little bit
13 faster than my hands work, so I've got a few things to
14 go over with you that you previously mentioned, but I
15 just want to make sure I've got them down. Where did
16 you get your bachelor's degree?

17 A. My bachelor's degree is from Western Carolina
18 University.

19 Q. What was that in?

20 A. Bachelor's of science and psychology.

21 Q. And then you said that you have a master's as
22 well?

23 A. Correct.

24 Q. Where did you get your master's?

25 A. I got my masters at Middle Tennessee State

1 University.

2 Q. What was your master's in?

3 A. Industrial and organizational psychology.

4 Q. And you previously went through the members
5 of your team when you did the performance audit review
6 of the department of correction, the report being
7 generated in January of 2020. Can you tell me again who
8 the members of your team were?

9 A. Certainly, if I can recall it all. Melissa
10 Boaz, Jaclyn Clute and myself were the in-charges. And
11 then we have, let's see, De'Aundrea Pointer, De'Aundrea
12 Pointer, Chris Colvard -- do I have it here? Jackson
13 Wickham, Yolanda Douglas, Michael Deloach, Valeria
14 Stadelman, Chas Taplin, Sarah Vandergriff, David Wright,
15 Heather Murray, and Fonda Douglas, and Mason Ball.

16 Q. By my count, that's 14 different individuals,
17 15 including you?

18 A. Correct.

19 Q. And they all participated in one way or
20 another in the comptroller's audit of the Tennessee
21 Department of Correction?

22 A. Correct.

23 Q. Are any of these individuals, including you
24 -- do you have experience in corrections?

25 A. No.

1 Q. Have any of these individuals, including you,
2 ever worked in a corrections environment, jail, prison,
3 detention facility, residential re-entry facility?

4 A. Not to my knowledge.

5 Q. Did you and your team retain any corrections
6 professionals to help with the audit?

7 A. No, ma'am.

8 Q. Did you and your team consult with any
9 corrections professionals in connection with the audit?

10 A. No, ma'am.

11 Q. And just so that I can understand kind of the
12 scope of what you all do, do you conduct audits with
13 respect to other areas outside of corrections?

14 A. Yes.

15 Q. What are some of those areas?

16 A. We audit all of the major departments of the
17 State of Tennessee.

18 Q. What are some of those?

19 A. Department of safety, department of health,
20 department of agriculture. TRICOR, we do TRICOR.
21 Basically every major department and/or, in some cases,
22 committees, but -- that fall under the sunset law.

23 Q. Is it fair to say that part of your job is to
24 find either issues or areas of improvement for the
25 various departments that you audit?

1 MS. HERZFELD: Object to the form.

2 THE WITNESS: Our role is to go in and see --
3 basically, provide an assessment on how well the
4 department is meeting its mission, following the
5 statutes and policies and procedures in place. We --
6 some areas that we look at our performance, in terms of
7 efficiency. You know, how well -- if we identify any
8 problems, obviously that's a focus, but it's usually for
9 improvement. I mean, if we were to find fraud, that
10 would be a different issue.

11 But mostly, it's basically to -- the issues
12 that we find are either compliance or in some cases,
13 there might be a statute that is preventing or
14 hindering, you know, the performance of a facility. So
15 we will present that to the legislature for
16 consideration.

17 There is a wide purview of what we end up
18 looking at, but our main purpose is to basically make
19 the agency work better and to ensure compliance and that
20 the agency is performing as it should be.

21 BY MS. POLLY:

22 Q. Have you ever had an instance where you
23 didn't find any issues with an agency's performance?

24 A. That -- I don't believe so. We usually find
25 something.

1 Q. I'm guessing you usually find a lot of
2 things?

3 MS. HERZFELD: Object to the form.

4 THE WITNESS: It just depends on the agency
5 and what our objectives are at the time and the data
6 that we find in our review.

7 BY MS. POLLY:

8 Q. Am I correct that the materials that you
9 reviewed should have been produced to us through your
10 lawyer in connection with the audit?

11 A. I believe so, yes.

12 Q. One thing I didn't see in there, I didn't see
13 -- focusing on Trousdale. I didn't see the
14 accreditation report that they have from the American
15 Corrections Association. Do you know if you reviewed
16 that?

17 A. It's in the audit. Yeah, we looked at that.

18 Q. For Trousdale?

19 A. I believe so. I think we have a copy of it.
20 We retained the accreditation reports for all four
21 facilities.

22 Q. When you say all four facilities, do you mean
23 all four of the CoreCivic facilities?

24 A. And we also got some for the state ones, the
25 ones that we looked at, yeah.

1 Q. Did you review any Tennessee Corrections
2 Institute documents regarding Trousdale in connection
3 with the audits?

4 A. I can't -- I don't remember for sure. We
5 might have. They would be in our working papers.

6 Q. Did you review any PREA reviews or
7 certifications of Trousdale in connection with the
8 audit?

9 A. We did look at the PREA cases.

10 Q. Did you look at any certifications that
11 Trousdale received in connection with its PREA -- with
12 its implementation of various PREA protocols?

13 A. I wasn't the one who actually looked at the
14 PREA. I'm sure that we probably did. Like I said, it
15 would be in the working papers on that. PREA was an
16 area that we did look at, so I believe we would. And we
17 talked to, you know, the department's PREA coordinator.

18 Q. You said that you and some of your teammates
19 visited the Trousdale Turner Correctional Center; is
20 that correct?

21 A. Yes.

22 Q. How many of you actually went to Trousdale?

23 A. The whole team.

24 Q. All 15 of you?

25 A. Let me make sure. I believe everybody on the

1 team was there, yes, correct.

2 Q. How long were you all there?

3 A. Fonda might not have been there. Fonda
4 Douglas may not have been there, now that I remember.
5 We were there for a week. And then we made one visit.
6 We had a day trip that was later in the audit, the end,
7 to shore up some additional questions.

8 Q. When you were there, where did you and your
9 team go within the facility?

10 A. We went to various locations throughout the
11 facility, depending on the audit issues we were looking
12 at. We visited several of the inmate pods. We visited
13 segregation. We visited the visiting center. We
14 visited the library, the education area. We took a tour
15 of the whole facility. But I believe most of our focus
16 was in those areas.

17 But yeah, we definitely visited several pods.
18 Charlie unit. Whisky unit. Bravo unit. I'm trying to
19 remember others. Like I said, it would depend on which
20 issue, which area we went to. But we pretty much
21 covered the facility.

22 Q. Did you basically have free reign to go
23 wherever you wanted to go?

24 A. Yes. If we needed to go somewhere, we would
25 tell the warden or Chris Brun and they would give us

1 access. We went to the control room. We went to -- I'm
2 trying to think of other areas. Yeah, we went to most
3 areas of the prison, I believe.

4 Q. As you went through the various areas of the
5 facility, did you have any concerns about your safety?

6 A. For the most part, no, but when you're in a
7 facility -- there was one time when we came out of the
8 count room and the warden was leading us out of the
9 room. And he went out of -- there was another door that
10 led to the outside. And he got trapped outside just as
11 a line of inmates were crossing in front of us.

12 So Melissa Boaz and myself were caught in the
13 hallway with just us as the inmates went before us.
14 That was a little unnerving. I think there were some
15 instances where some inmates had said some things to us,
16 but nothing substantial other than that.

17 Q. And nothing happened as a result of those
18 inmates walking by you when the warden was trapped on
19 the other side of the door?

20 A. No.

21 Q. During a break, I'll tell you my favorite
22 thing that an inmate ever said to me when I was in a
23 facility, but we won't do that on the record.

24 A. Okay.

25 Q. When you said you were there for a week, is

1 that five days?

2 A. Yes, the work week.

3 Q. For what number of hours a day were you
4 generally there?

5 A. We usually work about 10 hours when we're on
6 site. So we were there -- I can't remember if it was
7 8:00 to -- or 7:00 to 6:00, something like that.

8 Q. When you were there, did you find the
9 CoreCivic employees to be helpful in getting you either
10 materials that you needed or access to areas of the
11 facility that you needed?

12 A. Yes, the employees were very helpful.

13 Q. Did the warden instruct the employees in any
14 way on how to handle you and your team?

15 MS. HERZFELD: Object to the form.

16 THE WITNESS: From our experience, the warden
17 instructed his team to provide us whatever information
18 that we needed, and to assist with any of our questions,
19 and to cooperate with us as best they could.

20 BY MS. POLLY:

21 Q. Who was the warden at the time?

22 A. Washburn.

23 Q. And my questions -- and I should have said
24 this at the beginning, but you have assumed as well. My
25 questions are going to focus on the most recent audit

1 that the comptroller performed; is that fair?

2 A. Yes.

3 Q. In reading through the performance audit
4 report, I saw that the comptroller would make
5 statements, and then it looked as though the Tennessee
6 Department of Correction had an opportunity to respond
7 to some of those findings; is that correct?

8 A. Yes.

9 Q. Can you explain that process?

10 A. When we conclude an audit and we are
11 finishing the writing of the report, we -- before we
12 publish the report and finalize the report, we provide a
13 draft copy to the agency, to the department. And they
14 are allowed to review the report in its entirety. And
15 they're also allowed to provide management comments on
16 any of the findings.

17 And in some cases, I think we've done
18 observations as well if they -- if the department wanted
19 to have a comment. But we allow them to, you know, have
20 their -- make some comments on those and we publish
21 those with the report. It's a standard procedure that
22 we do with each audit that we do for every department.

23 Q. Did CoreCivic have any ability to comment on
24 the findings?

25 A. That would be at the discretion of the

1 department of correction. We were auditing the
2 department of correction, therefore, our report and the
3 opportunity to respond to those findings went to them.
4 And I guess that would be up to them to decide or pass
5 it along to CoreCivic.

6 Q. Do you know if the department of correction
7 gave CoreCivic the ability to respond to the 2020 audit
8 findings?

9 A. I don't -- I can't say exactly for sure, but
10 I believe -- it was our assumption that they did. We
11 would see no reason why they wouldn't.

12 Q. Were there some findings that the Tennessee
13 Department of Correction concurred with and then some
14 that they did not concur with, or that they only
15 concurred in part with?

16 A. I believe that's true, yes.

17 Q. In other words the department of corrections,
18 in some respects, disagreed with the findings of the
19 comptroller in the 2020 audit?

20 A. I would have to look specifically at each
21 one. I would not say as a whole they disagreed, no.

22 Q. Is it fair to say they disagreed with certain
23 of the findings?

24 A. Again, I would have to review the audit
25 report to see. But my understanding is they agreed with

1 the majority of the report, yes. They concurred.

2 MS. POLLY: What I want to do now is go
3 through some portions of the audit. But I think
4 probably it's a smart time to go ahead and take a break
5 for lunch. Can we go off the record?

6 (Luncheon recess observed.)

7 BY MS. POLLY:

8 Q. Mr. Finamore, did you have a good break?

9 A. Sure.

10 Q. I'm going to -- I had put it in the chat, but
11 I will go ahead and put it in the chat again so that
12 it's the most recent document. I put in the chat a
13 document Bates stamped TDOC 13203 through 13207. Do you
14 see that?

15 A. Uh-huh.

16 Q. Can you please open that for me? Take your
17 time and review that.

18 A. Okay.

19 Q. And it looks like this starts off as an
20 e-mail from Fonda Douglas to Jeanie. And her e-mail
21 address is Jeanie dot no exceptions at g-mail dot com;
22 is that correct?

23 A. I believe so if that's what is listed.

24 Q. Right up here?

25 A. Yeah, I see it.

1 Q. Who is Fonda Douglas?

2 A. Fonda is a former employee of ours.

3 Q. And was she involved in the audits of the
4 Tennessee Department of Correction?

5 A. She was.

6 Q. Was she involved in both audits, 2017 and
7 2020, or just one of them?

8 A. She was in both.

9 Q. And what was her role again?

10 A. She was a staff auditor.

11 Q. And as a staff auditor, what was she
12 responsible for with respect to the TDOC audits?

13 A. I think in the first one, she -- for the
14 detailed audit section, she was working on -- with David
15 with the probation and parole, a review of the two
16 previous findings of probation and parole. And on the
17 most recent audit, I think she worked on various things,
18 but not one issue completely. She was helping interpret
19 some information and some communications with follow-up
20 questions.

21 Q. And in this e-mail from April 11th, 2017, it
22 appears as though Fonda is e-mailing Jeanie and is
23 saying: Per our conversation earlier, you mentioned
24 interest in talking with us concerning issues and
25 concerns your advocacy group has experienced with the

1 department of corrections. Did I read that correctly?

2 A. That's correct.

3 Q. Would citizens and organizations reach out to
4 you and other representatives of the comptroller to talk
5 about audits that you were performing?

6 A. We contact advocacy groups that deal with the
7 department of corrections as a routine to discuss their
8 interactions with the department. So each audit that we
9 do, we will contact a variety of advocacy groups as part
10 of our research and planning steps.

11 Q. You scroll up a little bit, you'll see an
12 e-mail from Jeanie Alexander to Fonda Douglas dated
13 April 12th, 2017. Do you see that?

14 A. Uh-huh.

15 Q. Yes?

16 A. Yes. Sorry, yes.

17 Q. The reason we do that is just because we need
18 your verbal answer because sometimes the grunts that we
19 do in real life can be interpreted in different ways.

20 A. Of course.

21 Q. And in this e-mail, she references Alex
22 Freidman. Do you see that?

23 A. Yes, I do.

24 Q. She says that he is with the Human Rights
25 Defense Center?

1 A. Yes.

2 Q. Did anyone from the comptroller's office
3 contact the Human Rights Defense Center?

4 A. I don't know if we contacted them directly,
5 but -- yeah, I don't remember if we contacted them
6 directly or not, but we did have an interview with them.

7 Q. Was that in connection with the 2017 audit or
8 the 2018 audit?

9 A. Just the 2017 audit.

10 Q. Do you know who Alex Freidman is?

11 A. At the time, we did not know. But yes, we
12 learned later who he was.

13 Q. What did you learn about Alex Freidman?

14 A. Well, we obviously saw his involvement in
15 some of the hearings. And I guess he was a former
16 inmate at Trousdale.

17 Q. Do you know anything else about Alex
18 Freidman?

19 A. He -- well, at the time, he was an -- I
20 guess, worked for advocacy for prison rights. But yeah,
21 recently he was arrested.

22 Q. Do you know why he recently was arrested?

23 A. Didn't he try to break into the prison over
24 at the sheriff's office or one of the Metro prisons that
25 was being built? I believe that's my understanding.

1 Q. Tell me about the conversation with Alex
2 Friedman.

3 A. Back in 2017, it was -- we were just asking
4 his -- if he had any information, or I guess we were
5 looking for just his interactions with the department
6 and if there was any information that he could give us
7 that would be relevant. And I don't recall very much.
8 It was a brief interview.

9 Q. I'm going to ask you to look back at Exhibit
10 4. It's the 2020 audit.

11 A. The 2020 audit?

12 Q. Correct, it's in the chat. Do you have it
13 there in front of you?

14 A. I have a copy of it.

15 Q. Is this what you have in front of you?

16 A. Uh-huh. Yes, sorry.

17 Q. And that's the performance audit report,
18 department of correction, January 2020?

19 A. Correct.

20 Q. And this is the document that you and your
21 colleagues authored following your audit of the
22 Tennessee Department of Correction over several months?

23 A. Correct.

24 Q. In the audit, there are maybe 15 or so
25 findings. Explain to me what a finding is intended to

1 convey.

2 A. A finding is basically a noncompliance, an
3 issue that we find. Generally, it's significant to the
4 mission or the department able to complete its mission.
5 And it is an issue that we feel needs to be addressed.
6 And that the legislature needs to be aware of that can
7 significantly impact the department's ability to do its
8 mission. It's basically a noncompliance or a -- of a
9 significant nature.

10 Q. There are also observations mentioned in the
11 audit report. What are observations?

12 A. Observations are basically issues that we
13 identify that don't quite reach the level of a finding,
14 however they could, if not addressed. And we provide
15 them for sort of, you know, something that to be aware
16 of for the legislature that should be addressed, or it
17 could become a finding. Usually, it's informational,
18 just to make them aware of the issue that could be
19 developing.

20 Q. How many facilities did you audit in order to
21 come up with this audit of the Tennessee Department of
22 Correction?

23 A. We went to six facilities.

24 Q. Were those the only six facilities that you
25 audited or did you get information from other facilities

1 that played into the audit?

2 A. Those were the facilities that we audited
3 that we visited directly. We did visit some other
4 facilities during the planning phase. But the primary
5 focus of this audit was -- the primary data was from
6 those three -- those six facilities, sorry.

7 Q. And what were the six facilities?

8 A. Turney Center, West -- Northwest, Northeast,
9 Trousdale Turner, Hardeman and Whiteville.

10 Q. And the first three are TDOC facilities and
11 the last three are CoreCivic facilities?

12 A. That's correct.

13 Q. Do you have a paper version of this 2020
14 audit in front you?

15 A. I do.

16 Q. I'm going to go to certain pages, but I want
17 you to feel free to turn to any page of the audit as
18 we're talking through it.

19 A. Okay.

20 Q. Do you see that I'm on Page 11 of the audit?

21 A. I do.

22 Q. Finding 1 says: The department's leadership
23 failed to provide adequate oversight activities of
24 department and correctional facilities management in
25 several areas relating to inmates, correctional staff,

1 and the community, thereby affecting the department's
2 ability to meet its mission. Did I read that correctly?

3 A. Correct.

4 Q. I'd like you to feel free to turn through the
5 pages that follow Finding 1. Do you see any specific
6 mention of Trousdale?

7 A. There isn't a specific mention of Trousdale
8 necessarily in this. This is a finding against the
9 department as a whole.

10 Q. Is that no, there's no specific mention of
11 Trousdale with respect to this finding?

12 MS. HERZFELD: Object to the form.

13 THE WITNESS: Well, Trousdale is mentioned in
14 some of the findings that are referenced within it; but
15 no, the finding itself is not specifically against
16 Trousdale.

17 BY MS. POLLY:

18 Q. We discussed earlier, sometimes the -- well,
19 am I correct that the Tennessee Department of Correction
20 is permitted to respond to the findings?

21 A. That is correct.

22 Q. And sometimes they concur, sometimes they
23 concur in part, and sometimes they disagree?

24 A. That is correct.

25 Q. I'm on Page 15 of the audit. It says

1 management's comments. Is that the comment of the
2 department of correction?

3 A. Yes.

4 Q. And am I correct that it appears as though
5 the -- strike that. Am I correct that the department of
6 correction does not fully agree with Finding 1 and that
7 the department of correction says that it has
8 demonstrated an unwavering commitment to continual
9 improvements in the process of administering prisons and
10 supervising offenders in the community, well-established
11 and highly developed internal controls, policies and
12 processes are in place to protect the public, and ensure
13 the safe operations of prisons in the delivery of
14 effective community supervision in Tennessee?

15 A. They agree in part. And then, yes, it does
16 say that.

17 Q. Finding 2 is on Page 24. And it says: The
18 department's overall annual compliance percentage scores
19 do not provide a clear measure of correctional facility
20 performance. Did I read that correctly?

21 A. You did, yes.

22 Q. Does this finding just kind of focus on how
23 the Tennessee Department of Correction calculates a
24 facility's compliance score?

25 MS. HERZFELD: Object to the form.

1 THE WITNESS: Yes, this is pertaining to
2 their internal review process that they have an -- they
3 have an internal compliance division within the
4 department of correction that does their own review of
5 facilities. And they create these reports and with
6 scores on them. And so our findings pertaining to how
7 they rate those scores and present the information to
8 the commissioner.

9 BY MS. POLLY:

10 Q. And so am I correct that the finding here by
11 the comptroller was just a critique of how the Tennessee
12 Department of Correction calculated that compliance
13 score that they rendered for every facility?

14 A. Correct.

15 Q. What is the range of that compliance score?
16 Is it a one-to-ten type thing? Is it a one-to-a-hundred
17 type thing? Is it a percentage?

18 A. The compliance scores we list there in Table
19 2. They range in a hundred percent.

20 Q. Looking at Table 2, do you see that it
21 references the Trousdale Turner Correctional Center?

22 A. Yes.

23 Q. And under fiscal year 2017, 85 percent?

24 A. Yes.

25 Q. Fiscal year 2018, 96.96 percent, and fiscal

1 year 2019, 94.96 percent. Did I read those percentages
2 correctly?

3 A. You did.

4 Q. Is that the -- is that intended to convey the
5 Tennessee Department of Corrections' assessment of the
6 compliance score of Trousdale during those fiscal years?

7 A. That is to represent the score that their
8 unit gave them on their review of Trousdale, and the
9 other units as well.

10 Q. So all of the facilities that fall under the
11 umbrella of the department of correction are represented
12 in this table?

13 A. We list the scores that the internal division
14 gave each of those facilities. And our problem is that
15 it's very difficult to tell. We state problems that may
16 or may not exist because a department does not vary very
17 much in their range of scores. So you could have a
18 number of critical findings, and if a facility still
19 gets 95 percent, 96 percent, it masks that there really
20 could be a potential problem at the facility.

21 Q. I understand that. I guess my question is
22 more your findings aside, these are the scores that the
23 Tennessee Department of Correction gave to Trousdale in
24 2017, '18, and '19?

25 A. Yes, those are the scores that they gave on

1 the -- I think it was the evaluations they made during
2 those times, yes.

3 Q. Finding 3 is on Page 40. It says: The
4 department's ability to provide accurate and complete
5 information relating to deaths and other serious
6 incidents is problematic. Did I read that correctly?

7 A. Yes.

8 Q. Is the issue here with Finding 3 one of
9 documentation?

10 A. Yes.

11 Q. And is it an issue of documentation
12 specifically in TOMIS?

13 A. Into TOMIS, yes.

14 Q. What is TOMIS?

15 A. TOMIS is the department of correction's
16 information management system.

17 Q. Do you know what TOMIS stands for?

18 A. Tennessee Offender Management Information
19 System.

20 Q. Going to Page 39.

21 A. Thirty-nine, did you say?

22 Q. It's 39, yes. I did see one mention of
23 Trousdale. Do you see that?

24 A. Yes. Uh-huh.

25 Q. It says that at Trousdale, the health

1 services staff had not entered any serious accidents or
2 injuries on the accidents screen in TOMIS?

3 A. That's right.

4 Q. Tell me what that means.

5 A. That means that at Trousdale, during our time
6 at Trousdale in reviewing accidents and injuries, we
7 found that staff did not enter almost a month's worth of
8 accident data into the TOMIS system. Or it was more
9 than one month, I believe. We found that they had not,
10 as they're required by the department, entered this
11 information into the information management system.

12 Q. So the finding related to their -- to
13 Trousdale's failure to put into the accidents screen of
14 TOMIS information on injuries or accidents?

15 A. The finding was against the department, and
16 Trousdale was one of the facilities that we found a
17 problem at. We found, you know, several problems at
18 various facilities related to this. But at specifically
19 Trousdale, we found that staff had not entered serious
20 accident injury information for several months into the
21 system.

22 Q. And so there -- I did not -- and you can look
23 through it, but I did not see anything about a finding
24 about them not documenting serious accidents or
25 incidents at Trousdale, it was just about them not

1 placing it into the accidents screen on TOMIS; is that
2 correct?

3 MS. HERZFELD: Object to the form.

4 THE WITNESS: The finding isn't directly at
5 Trousdale that we noted in observation that supports the
6 conclusion that we drew; whereas, the department did not
7 ensure that all the facilities were entering information
8 as required.

9 BY MS. POLLY:

10 Q. Was the observation at Trousdale that they
11 didn't enter the information on the TOMIS accident
12 screen or that they didn't do documentation at all of
13 the accident or incident? In other words, you're not
14 finding they didn't document an incident, you're finding
15 that they didn't document an incident in TOMIS; is that
16 correct?

17 MS. HERZFELD: Object to the form.

18 THE WITNESS: Correct. Yes, they had the
19 paper records on file and they did not enter the
20 information into the Tennessee Offender Management
21 System.

22 BY MS. POLLY:

23 Q. And if you go to Page 42, your management's
24 comments. That's a comment from the department of
25 correction?

1 A. That's correct.

2 Q. And they concur in part?

3 A. They do.

4 Q. And they say: All deaths in custody have
5 been reported in accordance with statutory requirements.

6 A. They do say that.

7 Q. Do you agree with that?

8 A. I don't believe that we found all were
9 reported. And I think we mentioned that later in the
10 report in another finding.

11 Q. Finding 4 is on Page 43.

12 A. Uh-huh, yes.

13 Q. It says: The department did not accurately
14 record inmate's causes of death in the Tennessee
15 offender management information system, which impacted
16 the accuracy of the death information in the statistical
17 abstract. Did I read that correctly?

18 A. You did.

19 Q. In Finding 4, do you see any observation
20 regarding Trousdale?

21 A. I do not believe the incidents we found
22 involved Trousdale.

23 Q. And in Finding 4, is the issue, again, just
24 one of documentation in TOMIS?

25 A. Correct. Well, I guess it's incorrectly --

1 correctly and accurately reporting that information in
2 their statistical abstract as well.

3 Q. And the statistical abstract is something to
4 which the department of correction has access?

5 A. It's published by the department of
6 correction to provide the public with information on
7 data within prisons.

8 Q. It is not published by CoreCivic?

9 A. It is not.

10 Q. Finding 5 is on Page 46. And it says:
11 Department management did not ensure state and CoreCivic
12 facility staff followed incident reporting policies,
13 entered incident information accurately into TOMIS and
14 maintained supporting documentation for incidents as
15 required.

16 A. Correct.

17 Q. Is the issue here, again, one of entering
18 information into TOMIS in accordance with department of
19 correction policy?

20 A. It's entering information in TOMIS and it's
21 also accurately capturing information that took place in
22 incidents, actually documenting the incident itself
23 also. That's the part about maintaining supporting
24 documentation of the incidents.

25 Q. If you look on Page 47, am I correct that the

1 findings relate to things like not entering an incident
2 within eight hours?

3 A. Uh-huh.

4 Q. Not timely holding a disciplinary hearing,
5 and then again, not entering all required information
6 into TOMIS?

7 A. And it's also not having incidents
8 consistently match descriptions of them.

9 Q. So is the issue here that there might be a
10 detailed incident report that goes over what happened in
11 a particular incident, and then what is in the incident
12 report and what is entered into TOMIS sometimes do not
13 align?

14 A. Correct.

15 Q. Finding 6 is on Page 50. It says: The
16 department did not ensure that state and CoreCivic
17 correctional facilities and health services staff
18 entered all serious accidents, injuries, and illnesses
19 in TOMIS in accordance with the department policy.

20 A. Right.

21 Q. So here, the issue is not about failing to
22 report incidents, it's about not entering the
23 information in TOMIS; is that correct?

24 A. Correct.

25 Q. And when we talk about that TOMIS accidents

1 screen, is this it, right here?

2 A. That is a picture of it, I believe, yes.

3 Q. Is it just a one-page screen or are there
4 more pages that I'm not seeing?

5 A. I believe that's the one specific screen that
6 it's talking to, but some of that information may be in
7 other screens as well. Part of other screens. But that
8 is the specific screen in TOMIS, yeah.

9 Q. And do you see here where, under Finding 6,
10 it does contain an observation about Trousdale?

11 A. Yes.

12 Q. If you go to the next page, Page 51, it says:
13 Management and staff at both facilities stated they were
14 unaware of the requirement to enter accidents,
15 illnesses, and traumatic injuries into TOMIS. And it
16 goes on to mention turnover in certain positions?

17 A. Yes.

18 Q. Was that your understanding?

19 A. Yes.

20 Q. So was it that -- so is it fair to say
21 CoreCivic -- well, let me back up. Is it fair to say
22 that in your observation of Trousdale, they were
23 reporting incidents, they just weren't putting it into
24 the accident screen in TOMIS, and they said it was due
25 to just a misunderstanding or an error in knowing what

1 they were required to do?

2 MS. HERZFELD: Object to the form.

3 THE WITNESS: I believe that was part of it
4 and I believe that some staff had turned over also.

5 BY MS. POLLY:

6 Q. Were you assured that appropriate people had
7 been educated on entering incidents into TOMIS and that
8 it would be corrected going forward?

9 A. Yes, we were.

10 MS. HERZFELD: Object to the form.

11 BY MS. POLLY:

12 Q. Did you have any reason to disagree with the
13 statement that at Trousdale they weren't doing it
14 because they didn't understand they were supposed to do
15 it?

16 A. Did I have a disagreement with that?

17 Q. Yeah, or do you have any reason to disagree
18 or disbelieve what they said, that they didn't
19 understand they were supposed to do it?

20 A. No, I believe that was part of the case.
21 That's the explanation that they provided us.

22 Q. Finding 7 is on Page 56. And it says: The
23 department of correction and the department of finance
24 and administration strategic technology solutions did
25 not implement effective internal controls in two areas,

1 increasing the risk of errors or data loss. Did I read
2 that correctly?

3 A. Correct.

4 Q. Does this have anything to do with actions by
5 CoreCivic or CoreCivic employees, or is this more
6 directed toward the department of correction and the
7 department of finance and administration?

8 A. This is between the department and the --
9 yeah, the department of finance and administration and
10 the division of strategic technology solutions.

11 Q. Finding 8 is on Page 57. It says: The
12 department published inaccurate and incomplete inmate
13 incident data in its fiscal year 2018 statistical
14 abstract. Did I read that correctly?

15 A. Correct.

16 Q. In this section there are no observations
17 with respect to Trousdale; is that correct?

18 A. I believe so, that's correct.

19 Q. Is the issue that the comptroller is pointing
20 out here one of documentation?

21 A. This is information that is provided to the
22 public that the department of corrections publishes.
23 And it's about publishing inaccurate information about
24 prisons, which could be misleading to not only the
25 legislature, but to also the public.

1 Q. Was the information published exclusively by
2 the department of correction and not by CoreCivic?

3 A. Correct.

4 Q. Is the issue about publication of
5 information?

6 A. It's not accurately reporting data
7 information.

8 Q. So it's a data issue?

9 A. It's a data issue, correct.

10 Q. Finding 9 is on Page 82.

11 A. Eighty-two, you said?

12 Q. Yes. And it says: Management did not ensure
13 that state and CoreCivic correctional facilities' staff
14 followed policies and procedures for investigating
15 sexual abuse and sexual harassment allegations and
16 documented their results. Did I read that correctly?

17 A. You did.

18 Q. Is the issue here one of documentation?

19 MS. HERZFELD: Object to the form.

20 THE WITNESS: I believe, yes.

21 BY MS. POLLY:

22 Q. And the issue was that PREA allegations
23 weren't entered into a PREA allegation system in a
24 timely way?

25 A. Let me double-check. Some of it was a

1 misunderstanding or a question about the difference
2 between unsubstantiated and substantiated cases. But
3 yeah, I guess overall, is it documenting the
4 investigation results and processes and entering
5 information timely.

6 Q. So the finding of the comptroller was about
7 documentation, and then even more specifically, timely
8 documentation into a PREA system?

9 A. Yeah, into the PREA system correctly.

10 Q. What is PREA?

11 A. PREA is the prison -- what is it? It's the
12 Prison Rape Elimination Act. It's a federal program.

13 Q. So are there certain requirements on
14 documenting prison rape allegations?

15 A. Correct.

16 Q. Finding 10 is on Page 96. Does this one have
17 anything to do with CoreCivic?

18 A. No, this is not to do with CoreCivic. This
19 is on the department.

20 Q. Finding 11 is on Page 98.

21 A. Uh-huh, yes.

22 Q. This one deals with Century and Corizon; is
23 that correct?

24 A. That is correct.

25 Q. Who are they?

1 A. Those are the medical providers for -- that
2 the department contracts with for medical and mental
3 health.

4 Q. Do you know if they have any affiliation at
5 all with CoreCivic or are they separate from CoreCivic?

6 A. I believe they are now separate from
7 CoreCivic because CoreCivic supplies their own nurses
8 and medical providers.

9 Q. And so Finding 11 doesn't have anything to do
10 with CoreCivic?

11 A. No, it would not.

12 Q. Finding 12 is on Page 100. It says:
13 CoreCivic and state-managed correctional facilities did
14 not ensure that staff placed the required medical and
15 mental health documents in the inmate files or completed
16 the required documents in accordance with department
17 policy. Did I read that correctly?

18 A. Yes.

19 Q. I'm going to Page 101. I'm looking at Chart
20 22. Am I right, the issue here on Finding 12 is
21 documentation and documenting things in inmate medical
22 charts?

23 A. Correct.

24 Q. Tell me what Chart 22 is.

25 A. Let's see, this is the items that were

1 missing from the medical administration records,
2 documentation of initial drug screenings. This is also
3 physical and mental health exams; mental health
4 evaluations; physicians orders of medications; health
5 treatment plans; and health classification forms. These
6 are all supposed to be within the inmate files per
7 inmate and documented. And this information was not
8 found in the files and documented as it should be.

9 Q. Do you know how many inmate files you looked
10 at to get the information in Chart 22?

11 A. We have it in the methodology section, but it
12 looks like we did a random sample of 294 inmates from a
13 total population of 726. That's overall.

14 Q. So on Chart 22, where you've got those little
15 dashes, does that mean there were no issues?

16 MS. HERZFELD: Object to the form.

17 THE WITNESS: I believe that means there was
18 no information. Let's see, number of errors of
19 noncompliance type correctional facility. I guess,
20 yeah, there was no errors, then.

21 BY MS. POLLY:

22 Q. So just to be clear, on Chart 22, a dash
23 means there were no errors?

24 A. I believe that's correct, yes.

25 Q. So in this chart, it shows that Trousdale

1 didn't have any issues in those hundreds of inmate files
2 with respect to documentation on physical and mental
3 health exams, mental health evaluations, physicians
4 orders for medications, mental health treatment plans,
5 and health classification forms?

6 MS. HERZFELD: Object to the form.

7 THE WITNESS: Yes.

8 BY MS. POLLY:

9 Q. And there was one issue in those hundreds of
10 files on a missing initial drug screening?

11 MS. HERZFELD: Object to the form.

12 THE WITNESS: There was one. And there was
13 13 problems with the medical administration records,
14 which is the MARs.

15 BY MS. POLLY:

16 Q. It says medical administration records.
17 Could that be medication administration records? Is
18 that intended to show when inmates get their
19 medications, it's supposed to be documented?

20 A. Yes. That is the nurse's basic patient
21 record. And they are to record the actual time, date,
22 each time the inmate gets a medication.

23 Q. And so Finding 12 is intended to address
24 medical documentation issues?

25 A. Yes.

1 Q. So the issue is not that inmates weren't
2 given their medication, that's not your finding; your
3 finding is that there were 13 places in these hundreds
4 of charts where it was not fully completed, the
5 medication the inmates received?

6 MS. HERZFELD: Object to the form.

7 THE WITNESS: Yes, incorrectly or did not
8 note it. And I will say, if it's not noted, part of the
9 problem is then we can't verify that the inmate did get
10 their medicine or not.

11 BY MS. POLLY:

12 Q. Finding 13 is on Page 106.

13 MS. HERZFELD: Erin, I am going to interrupt
14 you for just a second. Just so you know, I have a call
15 I have to take at 2:00.

16 MS. POLLY: I will be done by then, Tricia,
17 but thank you.

18 BY MS. POLLY:

19 Q. Do you see Finding 13?

20 A. Okay, it's on Page 106, yes.

21 Q. Explain this to me.

22 A. This happened while we were at Hardeman
23 County. And CoreCivic was -- is beginning an electronic
24 MAR system in storing their inmate records or the nurse
25 records online using an e-MAR, electronic MARs, instead

1 of using the paper MARs. Most of the nursing community
2 these days use electronic MARs. So they are
3 transitioning to a new system using the electronic MARs.

4 And the day that we arrived in Hardeman
5 County, they lost access to the internet. So basically,
6 the system went down and they did not have access to
7 their patient's MARs. And that would be noted as a
8 serious problem because then they would not be able to
9 access needed records for their inmates. So this was --
10 I believe it took them several hours to get all the
11 information back online. And they did not have -- the
12 CoreCivic did not have a backup plan to handle that
13 situation.

14 Q. So the issue here wasn't inmates getting
15 medications, it was just having a backup for that time
16 when it happens where the electronic medication
17 administration record system goes down?

18 MS. HERZFELD: Objection to form.

19 THE WITNESS: Well, it is related to giving
20 medication since you need to have the MARs to be able to
21 record it and to know the dosage and to know when to
22 give medications.

23 BY MS. POLLY:

24 Q. That's fair. But still, the issue is just
25 one about a backup system for the electronic medical

1 records?

2 A. Correct, they do not have --

3 MS. HERZFELD: Object to the form.

4 THE WITNESS: They do not have a backup
5 system in place or a backup paper file in place to be
6 able to access or get quick access to the MARs.

7 BY MS. POLLY:

8 Q. I want to ask you about Observation 6. It's
9 on Page 130.

10 A. Okay.

11 Q. So the finding here is --

12 A. We have an observation -- are you on Page
13 130?

14 Q. Excuse me, an observation. Yeah, my
15 apologies. The observation here is that: CoreCivic and
16 state-run facilities are operating with minimal staff
17 resulting in increased staff overtime and/or the
18 temporary closure of non-critical posts. Did I read
19 that correctly?

20 A. You did.

21 Q. In doing the audit of the department of
22 correction, what did you learn about staffing in the
23 corrections environment?

24 A. We learned a lot about it. What
25 specifically?

1 Q. Are the facilities in Tennessee overstaffed
2 or understaffed? Is staffing easy in a corrections
3 environment, challenging in a corrections environment?

4 MS. HERZFELD: Object to the form.

5 THE WITNESS: Well, we learned obviously that
6 staffing facilities are difficult. The majority of the
7 facilities we see are understaffed.

8 BY MS. POLLY:

9 Q. Going to Page 10 under repeated as
10 observations. It says: All of Tennessee's facilities
11 are operating with minimal staff.

12 A. Yes.

13 Q. Did I read that one correctly?

14 A. You did.

15 Q. And despite those challenges, on Page 12, the
16 comptroller audit says: While CoreCivic and state
17 correctional facilities ensured that staff covered
18 critical posts, both the CoreCivic and state facilities
19 are experiencing difficulties with hiring a sufficient
20 number of correctional officers. Did I read that
21 correctly?

22 A. You did.

23 Q. Did the comptroller find in the audit that
24 CoreCivic was appropriately covering all critical posts?

25 A. In the staffing rosters that we did look at,

1 we did not see critical posts unmanned. But we did note
2 significant overtime in the majority of the facilities
3 that we visited. And I think we listed that in the
4 chart.

5 Q. We jump ahead to Page 129. Do you see where
6 is says CoreCivic had improved its critical posts
7 staffing?

8 A. Yes.

9 Q. And then it says: Both state and CoreCivic
10 facilities covered critical posts.

11 A. Correct.

12 Q. So is the take away here that the Tennessee
13 Department of Correction facilities are not fully
14 staffed --

15 MS. HERZFELD: Object to the form.

16 BY MS. POLLY:

17 Q. -- but that staffing is challenging and that
18 all critical posts are staffed?

19 MS. HERZFELD: Objection.

20 THE WITNESS: I'm not sure. You're mixing
21 some things here. So can you restate the question
22 please?

23 BY MS. POLLY:

24 Q. Sure. Did the audit conclude that CoreCivic
25 was making efforts to staff all positions?

1 MS. HERZFELD: Object to the form.

2 THE WITNESS: The response to the other one
3 is compared to the prior audit where we had a finding
4 and critical posts were not covered. We did not find
5 the same result this time. So it appeared, based on the
6 data that we looked at, that the posts were now covered
7 and they provided the rosters and other stuff so they
8 had the information. They made corrections from the
9 first audit, from a prior audit.

10 BY MS. POLLY:

11 Q. Thank you for saying that more artfully than
12 I asked it.

13 A. Okay. And then we go on to say that, you
14 know, as we've seen the posts that were covered, you
15 know, being understaffed is having an affect in some
16 respects. They are closing -- having to close other
17 non-critical posts and use staff, pull staff from other
18 positions to ensure they covered -- that critical posts
19 are covered.

20 Q. There was no finding that any of the
21 Tennessee Department of Correction facilities, and
22 specifically Trousdale, weren't trying to be
23 appropriately staffed?

24 MS. HERZFELD: Object to the form.

25 THE WITNESS: There was no finding that said

1 that they were not trying, correct.

2 BY MS. POLLY:

3 Q. Did you believe they were trying?

4 A. I do believe they were trying, yes.

5 Q. Finding 15 is on Page 160. It says: State
6 and CoreCivic facility personnel did not perform inmate
7 orientation within three days of arrival at the
8 facility, or did not consistently maintain assigned
9 orientation acknowledgment form in the inmate
10 institutional file. Explain this one to me, if you
11 would.

12 A. It is a department of correction policy that
13 as an inmate enters a facility, is transferred from one
14 facility to another facility, that they are to -- the
15 inmate is to be provided an orientation form within
16 three days of arrival, that they are to complete an
17 orientation into the facility within three days. And
18 they maintain this by having the inmate sign the
19 orientation form and packet.

20 And we -- in the files that we reviewed, we
21 found instances where either the orientation was not
22 done within three days of arriving at the facility or it
23 wasn't clear when the orientation was given. And that
24 would be also consistently maintaining the signed
25 orientation acknowledgment form. Without that form in

1 the file, we cannot verify that orientation was provided
2 or that it was provided within the time.

3 Q. Well, I jumped ahead to Finding 16 and I
4 skipped Finding 15. So we'll go back to that. But
5 that's helpful, thank you. On Finding 16, was there any
6 observation specifically related to Trousdale?

7 A. It looks like it was not. Looks like it was
8 Northeast, Northwest, Turney Center and Whiteville.

9 Q. Back up and go to 15. It's on Page 160.

10 A. Yeah.

11 Q. CoreCivic correctional facility personnel do
12 not consistently administer required inmate screenings
13 that are used to prevent sexual abuse in correctional
14 facilities. Did I read that properly?

15 A. Correct.

16 Q. Tell me about that one.

17 A. That is a requirement, federal requirement of
18 the Prison Rape Elimination Act. When an inmate is
19 transferred or brought into a correctional facility,
20 they are to have a PREA screening done within a certain
21 amount of time. An initial screening and then there is
22 a 30-day follow-up screening. And this is to identify
23 either a potential rapist or victims, and so that their
24 needs can be met and separated and be addressed.

25 Q. Go up to Page 158. You've got some audit

1 objectives and audit conclusions. Do you see those?

2 A. Correct.

3 Q. And it looks like at the department of
4 correction facilities, the comptroller found that the
5 facility staff completed the inmate admissions
6 assessment forms?

7 A. Correct.

8 Q. The comptroller found that inmates received a
9 classification hearing as required by department policy?

10 A. Correct.

11 Q. The comptroller found that in either the
12 inmate institutional files or in TOMIS, the department
13 provided inmates with 48-hour notice of an upcoming
14 hearing?

15 A. Correct.

16 Q. And here on No. 4 audit objective, we have an
17 observation regarding Trousdale?

18 A. Uh-huh, yes.

19 Q. It says that six offender classification
20 summaries were kept on a shelf rather than in the
21 inmate's institutional file?

22 A. Correct.

23 Q. So that's a documentation placement concern?

24 A. Yes.

25 MS. HERZFELD: Object to the form.

1 BY MS. POLLY:

2 Q. The comptroller found that the correctional
3 facility staff placed the risk needs assessments in the
4 inmate institutional files?

5 A. Correct.

6 Q. And then here is the concern that you
7 mentioned with PREA screenings not being done within a
8 particular period of time?

9 A. Correct.

10 Q. And there's no specific observation regarding
11 Trousdale on that?

12 A. There are no issues we marked on the 72-hour
13 screenings, but for Trousdale, this is on Page 161, PREA
14 screening not performed. We found four incidents where
15 it was not performed timely, the 30-day screening. And
16 we found two incidents that were not performed at all.

17 Q. I'm going to jump ahead a little bit because
18 I want to be done by 2:00 for Ms. Herzfeld. Look on
19 Page 167. Observation 10 discusses Trousdale performing
20 minimally required random drug screenings?

21 A. Correct.

22 Q. If you would look at the following page, Page
23 168. Am I correct that at Trousdale, that observation
24 is related to a period of time in either March or April
25 of 2019?

1 A. Yes.

2 Q. Was the issue related to a new employee
3 coming in the position?

4 A. That's what we were told, yes.

5 Q. In the audit and the investigation that the
6 comptroller did, did you look into any aspect of the
7 religious life of inmates there at Trousdale?

8 A. We did not.

9 Q. Did you look into religious access or
10 religious opportunities for inmates?

11 A. That was not one of our objectives.

12 Q. Did you look into religious celebrations or
13 religious meals that were provided to inmates?

14 A. That was not one of our objectives.

15 Q. Did you look into religious materials, like
16 books or clothing?

17 A. That was not part of our objectives.

18 Q. And am I correct that in the audit, the
19 comptroller didn't look into facility violence at any of
20 the department of correction facilities?

21 A. We looked into incident reporting in the
22 reporting of violence.

23 Q. So the issue was one of documentation, but
24 not one of efforts to prevent violence or responses to
25 violence?

1 MS. HERZFELD: Object to the form.

2 THE WITNESS: The record of their responses
3 to violence is in the incident report. In that way,
4 it's related. The purpose of being able -- I mean,
5 that's our way of being able, and basically the
6 department's way to understand what happened and
7 occurred during an incident. And if the incident isn't
8 properly documented, it's very difficult to get an
9 understanding of what was going on in the violence.

10 BY MS. POLLY:

11 Q. When the comptroller did this audit, are you
12 all primarily looking at documentation and whether
13 things are documented as they should be pursuant to
14 department of correction policy?

15 MS. HERZFELD: Object to the form.

16 THE WITNESS: A good bit of what we look at
17 is how they document things. But it can be more -- I
18 guess it's not just limited to how they document and are
19 they documented correctly, it's the implications that it
20 may have also, is whether it's important or the level of
21 importance to it.

22 BY MS. POLLY:

23 Q. Through the audit, did the comptroller
24 examine access to health care at one facility versus
25 another?

1 A. Yes.

2 Q. Was that based on documentation?

3 A. It was based on the requirements by the
4 department of correction policy. And we observed within
5 the areas whether or not there was access, free access
6 to health forms and that the instructions for obtaining
7 health care were properly posted.

8 Q. Was there a finding by the comptroller that
9 Trousedale did not appropriately handle inmate-on-inmate
10 assaults?

11 A. I don't recall that we have a specific
12 finding. No, we don't have a specific finding to
13 Trousedale alone on their handling of assaults, no.

14 Q. Was there a finding regarding Trousedale's
15 handling of contraband in the facility?

16 A. No, that was not one of our objectives.

17 Q. Was there a finding regarding Trousedale's
18 handling of violence in the facility?

19 A. Again, that was not one of our objectives in
20 that sense. No, we do not have a finding of that
21 nature, no.

22 Q. Was there a finding that Trousedale did not
23 investigate incidents of physical violence or assaults?

24 A. No, there was not.

25 Q. Was there a finding that Trousedale did not

1 appropriately provide inmates access to health care?

2 A. I don't believe there was a finding on that,
3 no.

4 Q. Was there a finding that Trousdale didn't
5 take steps to protect inmates and employees?

6 MS. HERZFELD: Object to the form.

7 THE WITNESS: That was not an objective. We
8 did not have a specific finding, answering that
9 question, no.

10 BY MS. POLLY:

11 Q. Was there a finding that CoreCivic didn't
12 take steps to prevent contraband from getting into the
13 facility?

14 A. No, there was not.

15 Q. Was there a finding that Trousdale did not
16 take steps to appropriately prevent prison rape?

17 MS. HERZFELD: Object to the form.

18 THE WITNESS: Not other than what was in the
19 report, which I don't believe was a finding against
20 Trousdale, no.

21 MS. POLLY: I don't think I have any more
22 questions. I am going to check with Joe. Tricia, I
23 know you need to leave in three minutes, so I will be
24 brief.

25 MS. HERZFELD: Tom, do you think you're going

1 to have any questions?

2 MR. AUMANN: I think one question, that's it.

3 MS. POLLY: I don't have anything further.

4 Thank you for taking the time to talk to me. I really
5 appreciate it.

6 EXAMINATION BY MR. AUMANN:

7 Q. Mr. Finamore, just briefly, did you find that
8 throughout the audit process in both 2017 and 2020, the
9 department of correction and its employees were
10 cooperative in answering your auditors' questions and
11 providing them with information and documents you needed
12 to complete the audit?

13 A. Yes, they were very helpful and cooperative.

14 MR. AUMANN: That's all I have.

15 MS. HERZFELD: I don't have any follow-up.

16 MS. POLLY: Thank you all.

17 MS. HERZFELD: Thanks.

18 MR. AUMANN: Thank you.

19 FURTHER DEPONENT SAITH NOT.

20

21

22

23

24

25

1 CERTIFICATE

2 STATE OF TENNESSEE)
3) SS.
4 COUNTY OF DAVIDSON)

5 I, CAROLE K. BRIGGS, Licensed Court Reporter
6 within and for the State of Tennessee, do hereby certify
7 that the above deposition was reported by me and that
8 the foregoing pages of the transcript is a true and
9 accurate record to the best of my knowledge, skills, and
10 ability.

11 I further certify that I am not a relative,
12 counsel or attorney of either party nor employed by any
13 of the parties in this case or otherwise interested in
14 the event of this action.


15 IN WITNESS WHEREOF, I have hereunto affixed my
16 official hand on this 6th day of July 2021.

17

18

19

20



21 CAROLE K. BRIGGS

22 Shorthand Reporter

23 Tennessee License No. 345

24

25

Exhibits	014498 68:9	15 7:8 22:11,14 75:25 76:3 91:17 95:24 105:24 108:25 132:5 133:4, 9
Exhibit 2 11:7,9 16:17	014907 62:8	158 133:25
Exhibit 3 16:20,22,23	014908 63:8	16 77:3,6 133:3,5
Exhibit 5 42:17,18 53:16	015330 67:2	160 132:5 133:9
Exhibit 6 54:5,6	016008 77:4	161 135:13
Exhibit 7 55:23,24	016009 78:11	167 135:19
Exhibit 8 58:5,8,16	016160 43:6 44:4	168 135:23
Exhibit 9 62:4,7,11	016162 49:13	17 6:4 79:4,7
Exhibit 10 65:7,13	016163 50:2	18 80:25 81:1,4 111:24
Exhibit 11 66:24 67:2 72:1,6	029720 81:4	19 82:15,17 111:24
Exhibit 12 68:9,10,12	1	1995 90:11
Exhibit 13 70:12,14 72:12 73:9	1 8:5,14,15 107:22 108:5 109:6	2
Exhibit 14 72:24 73:2,16	1/7 70:23	2 11:7,9 16:17 109:17 110:19,20
Exhibit 15 75:25 76:3	10 65:7,13 90:9 98:5 122:16 129:9 135:19	20 87:5,9,11
Exhibit 16 77:3,6	10/1/18 46:4	2017 12:16 14:23 16:14 22:18 26:3 28:18 55:1 56:6 59:5 70:4 83:20,23 87:1,3,5 102:6,21 103:13 104:7,9 105:3 110:23 111:24 140:8
Exhibit 17 79:4,6,7	10/1/2018 65:18	2018 58:18 62:12 64:13 67:8 68:18 104:8 110:25 120:13
Exhibit 18 80:25 81:1,4	10/31/2018 65:18	2019 44:8 46:2 49:16 70:20 73:19 76:2 111:1 135:25
Exhibit 19 82:15,17	100 123:12	2020 26:10,13,25 28:19 32:16 34:6,8,17 35:21 36:11 38:20 39:5, 6 68:25 75:22 81:9,15 83:18 87:1 91:7 100:7,19 102:7 105:10,11,18 107:13 140:8
Exhibit 20 87:9,11	101 123:19	2021 6:4
\$	106 126:12,20	2024 33:23,24
\$25 64:10	10th 64:13	22 123:20,24 124:10,14,22
\$250 64:9	11 66:24 67:2 72:1,6 107:20 122:20 123:9	24 33:21 109:17
0	11th 56:6 102:21	26 67:8 68:18
010081 82:16	12 68:9,10,12 73:7 123:12,20 125:23 129:15	27th 36:10
011758 70:15	12/31/18 46:4	294 124:12
012355 65:10	129 130:5	2:00 126:15 135:18
012403 53:25	12th 103:13	
012554 73:4,17	13 70:12,14 72:12 73:7,9 125:13 126:3,12,19	
013292 56:1	130 128:9,13	
013295 79:7	13203 101:13	
013491 75:25	13207 101:13	
013524 58:8,13,17	13292 57:22	
013562 87:10	14 72:24 73:2,16 91:16	

3	72-hour 135:12	114:1 117:18,25 118:14
3 16:20,22,23 112:3,8	726 124:13	accomplish 24:8
30 31:25 32:1	7:00 98:7	accordance 22:7 115:5 116:18 117:19 123:16
30(b)(6) 11:18	7th 70:20	accountability 21:9,21
30-day 133:22 135:15	8	accreditation 94:14,20
30th 33:24 73:18	8 58:5,8,16 120:11	accuracy 115:16
31st 44:8 46:2 49:16	8-4-109 32:14	accurate 15:3 69:23 71:8 72:21 81:25 112:4
39 112:20,22	82 121:10	accurately 68:5 115:13 116:1, 13,21 121:6
3rd 81:9	85 110:23	acknowledgment 132:9,25
4	8:00 98:7	act 44:14 122:12 133:18
4 26:10,17,18 105:10 115:11,19, 23 134:16	8:39 83:25	action 32:2,5,18 44:17 50:3 55:15 81:8 82:12
40 112:3	8th 58:18 62:12	actions 28:6 32:4 120:4
42 114:23	9	activities 107:23
43 115:11	9 62:4,7,11 121:10	actual 58:1 69:25 70:7 125:21
45 66:14	94.96 111:1	actuality 45:20
45-day 66:12	95 111:19	added 28:10,14 30:13
46 116:10	96 111:19 122:16	addition 51:19,21
47 116:25	96.96 110:25	additional 14:1 32:22 34:25 96:7
48-hour 134:13	98 122:20	address 74:15 101:21 125:23
4th 76:2 78:12	9:02 6:2,4	addressed 29:23 55:12,14 75:7 106:5,14,16 133:24
5	A	adequate 107:23
5 42:17,18 53:16 116:10	a.m. 6:2,4	adhered 21:16
50 117:15	ability 78:2 99:23 100:7 106:7 108:2 112:4	adherence 21:6
51 118:12	absence 72:2	adjusting 59:11
56 119:22	absolutely 16:22	adjustment 57:11
57 120:11	abstract 115:17 116:2,3 120:14	adjustments 25:22 26:1,3 27:12
6	abuse 121:15 133:13	administer 133:12
6 54:5,6 117:15 118:9 128:8	acceptable 17:9,10,16	administering 109:9
6:00 98:7	access 41:25 97:1 98:10 116:4 127:5,6,9 128:6 136:9 137:24 138:5 139:1	administration 119:24 120:7,9 124:1 125:13,16,17 127:17
7	accident 113:8,20 114:11,13 118:24	admissions 134:5
7 55:23,24 119:22	accidents 113:1,2,6,13,14,24	admit 10:20
		advance 7:23 9:4,14 14:23
		advice 59:22 60:7 65:1

advised 49:25	appeared 131:5	assistant 44:16 63:25 75:23
advocacy 102:25 103:6,9 104:20	appears 44:6 52:16 102:22 109:4	Association 94:15
affect 131:15	apple 8:13	assumed 98:24
affecting 108:1	appreciative 57:21	assumption 100:10
affiliation 123:4	appropriately 22:7 129:24 131:23 138:9 139:1,16	assurance 48:24
agencies 19:18 35:16	approval 57:12	assured 119:6
agency 19:21 23:14,15,18 35:19 88:3 93:19,20 94:4 99:13	approved 25:11 57:4,13	attached 57:16 64:5 69:14,23
agency's 93:23	April 64:13 102:21 103:13 135:24	attachment 64:7 65:18 78:10 79:20 80:19
agree 6:6,8,11,13,17 18:1,11,12 52:20 109:6,15 115:7	Arbor 90:8	attend 11:12 41:4 59:17 67:21,24 68:1
agreed 52:17 55:5 59:24 61:20 72:4 100:25	archive 83:10	attention 74:23
agreement 21:5 52:21 53:14 72:9	area 12:1 23:6,22 49:11 95:16 96:14,20	attorney 6:5 9:1,13 45:17 64:1
agreements 75:18	areas 23:2,21 24:3 92:13,15,24 93:6 96:16 97:2,3,4 98:10 107:25 119:25 138:5	audit 11:21,22 12:22,24 13:1,3, 19,21 15:14 17:8 19:19 20:3,5,14 22:25 23:1,4,5,8,12 24:9,10,12, 18,19 26:3,10,13,23 27:1,10,24 28:2,4,10,18,19,25 29:23,24 31:15,17,18,19,20,22,24 33:7,17, 19,20,22 34:13 36:7 37:13,18,21, 23 38:14,18,20,22 39:5,6,22 40:8 41:7,18,22 42:1,4 44:22,23,25 45:5,7,9 46:3 47:18,23 48:9 49:10,19 53:7 55:2 58:1 59:5 60:5 66:6 69:1,4,9,13 70:4 73:11,24 75:9 76:12 78:5,20,22 81:16,21, 22 82:8,10,12,13 83:18,20,23 84:9 85:2,8,13,14 86:3,7,12 87:25 88:2 91:5,20 92:6,9,16,25 94:10, 17 95:8 96:6,11 98:25 99:3,10,22 100:7,19,24 101:3 102:14,17 103:8 104:7,8,9 105:10,11,17,21, 24 106:11,20,21 107:1,5,14,17,20 108:25 128:21 129:16,23 130:24 131:3,9 133:25 134:1,16 136:5,18 137:11,23 140:8,12
agriculture 92:20	arise 72:7	audit's 86:24
ahead 8:3 10:19 20:25 56:5,18 62:10 70:17 82:22 84:16 88:24 89:19 101:4,11 130:5 133:3 135:17	arrested 104:21,22	audited 33:1,14,15 34:23 39:10 106:25 107:2
Alex 103:21 104:10,13,17 105:1	arrival 132:7,16	auditing 20:17 22:13 45:23 88:10 100:1
Alexander 103:12	arrive 41:4	auditor 7:5 14:1 26:22 68:25 83:19 102:10,11
align 117:13	arrived 127:4	auditors 25:9 37:15,16,18,22 56:17
allegation 121:23	arriving 132:22	auditors' 140:10
allegations 121:15,22 122:14	artfully 131:11	
allotted 24:8	articles 87:16,20,24	
allowed 25:13 66:14 75:2 99:14, 15	arts 12:13	
American 94:14	asks 90:12	
amount 61:20,21 133:21	aspect 136:6	
and/or 92:21 128:17	aspects 27:16	
Ann 90:8	assaults 138:10,13,23	
annual 109:18	assemblies 35:18	
answering 139:8 140:10	assembly 24:5 33:16 35:10	
answers 76:22	assess 33:3 64:17	
anticipate 89:7	assessed 62:3 66:14	
apologies 128:15	assessment 66:16 93:3 111:5 134:6	
Apparently 46:25	assessments 135:3	
	assigned 132:8	
	assist 98:18	

audits 19:15,17 22:16,19,21
26:7,8 28:8 49:4 53:3 84:24 86:4,
8,13,14,15 87:2 92:12 95:3 102:3,
6,12 103:5

August 56:6

Aumann 6:10 8:12,17 9:12,15
10:3 17:12 18:5 29:18 34:18
36:19,25 42:19 47:4 52:6,17,22
57:22 68:14 71:10,12 80:6,22
88:20 89:7,17,23 140:2,6,14,18

authored 105:21

aware 14:17 15:8 17:15 31:16,21
34:4,11 40:7,10 44:13,16 60:6
88:5 106:6,15,18

awareness 10:5

B

bachelor's 12:12 90:16,17,20

back 11:6 16:2,25 34:5,12 37:13
50:13 52:15 57:9 58:15 71:22
73:5 84:5 88:25 89:1 105:3,9
118:21 127:11 133:4,9

background 12:11 23:17 69:7
88:2 90:4

backup 127:12,15,25 128:4,5

bag 85:3

Ball 91:15

base 18:8

based 23:3 24:23 25:18 27:10
47:20 61:7 76:21 131:5 138:2,3

basic 87:23 125:20

basically 12:25 23:1,13,17 24:20
31:24 32:3 44:18 53:12 55:6,10,
15 57:7 59:21 60:7 61:25 66:10
69:6 76:8 77:20,23 79:11 84:22
85:8 92:21 93:3,11,18 96:22
106:2,8,12 127:5 137:5

batch 43:18

Bates 42:20 52:18 57:20 101:13

bear 16:11 42:10

began 6:2

begin 24:17 25:4 82:7,13

beginning 16:8 73:11 84:8 85:8,
12 88:1,14 98:24 126:23

behalf 6:15 8:8,20,24 19:18
71:24

believed 55:12

Bellar 45:16

beneficial 24:4

Betty 62:13,18

big 43:18,19 80:23 88:5

bit 23:10 42:24 85:5 88:25 90:4,
12 103:11 135:17 137:16

Boaz 68:21 69:2,3 91:10 97:12

books 136:16

born 90:6,8

brainstorming 70:8,9

Brandon 45:16

Bravo 96:18

breach 74:10

break 52:9,16 53:18 77:21 88:22,
23,24 89:1,11,14 97:21 101:4,8
104:23

briefly 9:6 140:7

bring 70:11

bringing 74:22

broad 22:9 48:21

broader 47:22 48:19,20

brought 75:18 133:19

Brun 46:7 54:10 56:12 57:3 96:25

built 104:25

bullet 74:3,9

bunch 51:8

business 54:14 56:24 58:25
61:14

C

calculated 110:12

calculates 109:23

calculating 66:17

call 12:15 126:14

called 61:25 69:15

camping 85:3

capitol 63:2

capturing 116:21

care 137:24 138:7 139:1

Carolina 90:9,17

Carolyn 79:8,10,11

case 10:12 19:19 20:8 46:24
67:24 69:19 90:3 119:20

cases 25:25 92:21 93:12 95:9
99:17 122:2

caught 97:12

caused 47:8

celebrations 136:12

cell 72:3

center 45:14 65:17 95:19 96:13
103:25 104:3 107:8 110:21 133:8

Central 74:22

Century 122:22

certifications 95:7,10

chair 36:4,5

challenges 129:15

challenging 129:3 130:17

chance 70:18

change 23:5 25:17 27:7 29:25
57:13 60:3

changed 50:14

charges 37:22

Charlie 96:18

chart 65:21,23,24 66:1 123:19,24
124:10,14,22,25 130:4

charts 66:3 123:22 126:4

Chas 91:14

chat 39:21 43:10,20 56:3,4 58:16
62:10 65:15 67:3 68:11 70:16
82:22,23,25 83:8,22 84:14 85:16
87:15,18 101:10,11,12 105:12

chats 83:10

check 48:18 82:9 86:6,10 139:22

checklist 44:20

chief 30:20,21 48:2 57:5 60:22 78:17
choose 23:7
Chris 57:3 91:12 96:25
Christmas 74:13
Christopher 46:7 54:10 56:12
circumstances 14:18 25:21 62:1
citizens 103:3
clarification 8:16
clarify 36:21
classification 124:5 125:5 134:9,19
classified 42:7
clear 37:6 47:13 86:17 109:19 124:22 132:23
close 79:21 80:2 131:16
closing 131:16
closure 128:18
clothing 136:16
Clute 68:21 69:3 91:10
CMO 46:7,8
co-in-charge 83:14,20
co-in-charges 69:4
colleagues 105:21
collect 23:18 87:25
collecting 85:13 88:9
collection 87:16
collective 42:25 87:9
Colorado 86:23
Columbia 90:9
Colvard 91:12
comment 51:23 86:13 99:19,23 109:1 114:24
comments 25:13,17,19 99:15,20 109:1 114:24
commissioner 58:18 59:7 61:1, 2,3 67:22 68:1 75:23 110:8
commitment 109:8

committee 19:24 36:3
committees 92:22
communicating 55:16
communication 39:18 48:17
communications 45:2 102:19
community 108:1 109:10,14 127:1
company 61:15
compared 28:24 131:3
compile 69:21
complaint 10:12
complete 42:1 106:4 112:4 132:16 140:12
completed 123:15 126:4 134:5
completely 102:18
compliance 12:16 20:16,19 28:12 44:19 45:24 48:4 49:3 93:12,19 109:18,24 110:3,12,15, 18 111:6
complied 20:22
complies 7:21
comptroller 19:15 22:6 24:13 25:10,11 32:4 35:8 36:23,24 59:8, 11,16,17,21 62:19 63:20,21 64:12 65:4 67:24 73:17 99:1,4 100:19 103:4 110:11 120:19 122:6 129:16,23 134:4,8,11 135:2 136:6,19 137:11,23 138:8
comptroller's 6:16 7:6 8:9,20,23 13:8 14:7,10,13 19:14 22:11 27:23 29:13 32:20 34:1 36:22 37:5,6 39:2,3,18 41:15 42:3 47:17 49:9,20 50:18 51:3 52:8 54:15 56:25 59:1 63:2,5 81:20 82:1 83:4,7 91:20 104:2
computer 43:17 71:13,23
concentrating 85:4
concern 61:8,13,15,19 74:11 75:13 88:5 134:23 135:6
concerned 47:21
concerns 25:15 40:3 76:21 97:5 102:25
conclude 34:24 99:10 130:24

conclusion 32:24 114:6
conclusions 15:1 16:7 24:23,25 25:1,7 27:10,17,18 45:11 53:6,11 82:11 134:1
concur 100:14 108:22,23 115:2
concurred 100:13,15 101:1
conditions 34:14,16 35:2 41:16
conduct 92:12
conducted 31:20
conducting 49:23
conference 85:7
confuse 86:1
connection 92:9 94:10 95:2,7,11 104:7
consideration 93:16
consistent 65:3
consistently 117:8 132:8,24 133:12
consult 89:8,18 92:8
contact 39:23 103:6,9 104:3
contacted 104:4,5
contained 34:6,16 35:1 38:13 71:8
continual 109:8
continue 19:24
contraband 18:23 138:15 139:12
contract 20:16,18,19,22 21:4,7, 13,22 28:11,13,18,20 30:13 40:20 44:13,19 45:3,18 46:9 48:17 49:2, 25 50:15,23 56:13 59:23,24 61:23,24 64:8 65:1 67:20 74:9,10 75:2 79:14
contracted 20:6 21:25 45:21 61:17 74:21,24 75:16
contractor 47:25 50:3 61:10
contracts 21:10,11 22:8 23:16 45:22,25 48:24 59:8,12 60:8 61:19 62:13 64:6,9 123:2
contractual 60:12
control 42:12 54:19 97:1

controls 109:11 119:25	64:2 66:2,21 74:12 79:12 81:8	custody 115:4
conversation 84:19 102:23 105:1	91:6,21 99:6 100:1,2,6,13 102:4 105:18,22 106:22 108:19 109:2,6, 7,23 110:4,12 111:11,23 114:25	cycle 19:21,22
conversations 38:23 39:3,5 41:14 42:3 63:22 65:3	116:4,6,19 119:23 120:6 121:2 128:22 130:13 131:21 132:12 134:4 136:20 137:14 138:4 140:9	<hr/> D <hr/>
convey 106:1 111:4	correction's 112:15	daily 30:19
cooperate 98:19	correctional 17:5 21:19 45:13 65:17 66:13 95:19 107:24,25 109:19 110:21 117:17 121:13 123:13 124:19 129:17,20 133:11, 13,19 135:2	damages 59:12,13 61:25 62:2 64:7 66:11,15
cooperative 41:23 140:10,13	corrections 15:6 17:10 21:15 36:22 39:13,14 65:2 67:22 75:21 77:17,19 78:18 91:24 92:2,5,9,13 94:15 95:1 100:17 103:1,7 120:22 128:23 129:2,3 131:8	dash 124:22
coordinator 95:17	Corrections' 111:5	dashes 124:15
copies 42:22	corrective 32:2,5 50:3 81:8 82:11	data 24:22 94:5 107:5 113:8 116:7 120:1,13 121:6,8,9 131:6
copy 35:12 57:3 94:19 99:13 105:14	correctly 37:17 46:4 50:19 56:10 58:19 62:14 64:10,19 65:19 68:22 73:19 74:15 78:9 79:22 81:10 84:3 103:1 108:2 109:20 111:2 112:6 115:17 116:1 120:2,14 121:16 122:9 123:17 128:19 129:13,21 137:19	database 15:20
Corecivic 6:13 20:8 21:6 28:7 29:15,25 30:9,17,19 31:8,12 34:7 39:4,19,24 40:9,23 41:10 55:14 59:9 60:1 61:9,17,18 62:3,13 64:6 71:16,24 74:19 75:17 79:13 90:2 94:23 98:9 99:23 100:5,7 107:11 116:8,11 117:16 118:21 120:5 121:2,13 122:17,18 123:5,7,10,13 126:23 127:12 128:15 129:16,18, 24 130:6,9,24 132:6 133:11 139:11	counsel 7:25 53:15 72:2	date 9:11 20:3 33:20,25 83:16 125:21
Corizon 122:22	count 46:3,14,15,16,22,23 47:11, 13,14 48:15 91:16 97:8	dated 44:8 46:2 49:16 56:6 58:18 62:12 67:8 68:17 70:20 73:18 76:1 78:11 103:12
corner 43:5	counties 74:25	dates 33:16
corporate 41:10	county 45:17,18,21 59:14 60:13 74:24 126:23 127:5	daughter 85:2
correct 7:19,24 8:11,21,25 11:13,16,19,24,25 12:9,10 13:12, 21 16:5 20:10 22:4,12,23 29:4 33:24 39:16 41:12 44:17 45:14 46:1,5 48:1 49:7,14 50:9,16 51:10 55:6,9 56:6,14,15 57:17 58:20,22, 23 60:10 61:24 64:20 65:12 67:9, 12 68:4,18,23 70:21,22,25 72:16, 17 73:22 74:2,16 79:19,23 80:16 81:11,16,17,21 90:23 91:18,22 94:8 95:20 96:1 99:7 101:22 103:2 105:12,19,23 107:12 108:3, 19,21,24 109:4,5 110:10,14 114:2,16,18 115:1,25 116:16,25 117:14,23,24 120:3,15,17,18 121:3,9 122:15,23,24 123:23 124:24 128:2 130:11 132:1 133:15 134:2,7,10,15,22 135:5,9, 21,23 136:18	court 6:3 16:19 71:21	David 13:6 83:13 86:1 91:14 102:14
corrected 119:8	covered 71:3 96:21 129:17 130:10 131:4,6,14,18,19	day 40:22 96:6 98:3 127:4
correction 19:20 20:18 26:11 27:1 31:25 46:19 49:7 57:5 60:25	covering 129:24	days 31:25 32:1 66:14 98:1 127:2 132:7,16,17,22
	create 47:2 110:5	DC 57:4
	critical 29:1 55:11,12 111:18 129:18,24 130:1,6,10,18 131:4,18	De'aundrea 68:20,24 91:11
	critique 110:11	deal 103:6
	crossing 97:11	dealing 77:13,14 88:13
	curious 85:20	dealings 58:25
	current 23:19 34:2 66:6	deals 122:22
		dealt 50:8
		death 115:14,16
		deaths 31:8,13 112:5 115:4
		Debbie 63:9,24 64:1,4
		Debra 58:21
		debriefed 40:2
		December 68:17 74:12
		decide 19:24 78:2 100:4
		decided 40:5 75:3

decision 24:11	descriptions 117:8	67:2,4 70:15 75:25 77:4 78:11
deconstruct 52:5	designated 8:7 11:20 12:1 80:2	81:5 101:12,13 105:20 114:14,15 137:17,18
defendants 6:11,13 90:2	detailed 23:8 24:18,19 102:14 117:10	documentation 25:23 85:13 112:9,11 114:12 115:24 116:14, 24 120:20 121:18 122:7,8 123:21 124:2 125:2,24 134:23 136:23 137:12 138:2
Defense 103:25 104:3	detention 92:3	documented 28:24 40:25 41:2 45:8 121:16 124:7,8 125:19 137:8,13,19
deficiency 48:3	determine 23:2	documenting 25:7 44:15 49:22 86:16 88:8 113:24 116:22 122:3, 14 123:21
define 77:1	detrimental 61:8	documents 42:6 43:14,18 51:9, 14,16 52:3 95:2 123:15,16 140:11
degree 90:16,17	develop 24:21	dollars 22:6
deleted 74:11	developed 44:17 109:11	door 97:9,19
delivery 109:13	developing 55:15 69:7 106:19	dosage 127:21
Deloach 91:13	dictate 18:18	dot 101:21
demonstrated 109:8	difference 122:1	Dotson 75:20 76:1,9,13,22
Dena 13:17 73:21,23	difficult 42:24 111:15 129:6 137:8	double-check 121:25
department 14:25 15:7 19:20,25 20:2,4,15,17,20 21:15 22:5 23:21, 24 24:16 25:12,14,16,23 26:11,14 27:1,7,11 28:9 29:15 30:20 31:25 32:2,25 33:2,14,15 34:15 35:11, 12 36:12,17,20,21,24 37:5,7 38:16,22 39:1,2,3,8,11,13,14,18 41:14 46:10,18 47:16,17 48:9 49:3,6,7 57:5,12 59:24 60:7,9,24, 25 61:17 64:2,24 65:2 66:2,17,21 67:22 75:21 77:16,19,23 78:18 79:12 81:7 83:3,6 91:6,21 92:19, 20,21 93:4 99:6,13,18,22 100:1,2, 6,13,17 102:4 103:1,7,8 105:5,18, 22 106:4,21 107:24 108:9,19 109:2,5,7,23 110:4,12 111:5,11, 16,23 112:15 113:10,15 114:6,24 115:13 116:4,5,11,18 117:16,19 119:23 120:6,7,8,9,12,22 121:2 122:19 123:2,16 128:21 130:13 131:21 132:12 134:3,9,12 136:20 137:14 138:4 140:9	difficulties 88:14 129:19	Douglas 13:25 91:13,15 96:4 101:20 102:1 103:12
department's 95:17 106:7 107:22 108:1 109:18 112:4 137:6	direct 39:17	downloaded 54:20
departments 22:22 92:16,25	directed 120:6	draft 16:3,4 25:3,6,8,11,12 99:13
depend 96:19	direction 36:12	drafting 25:4 55:2
depending 33:15 96:11	directions 37:2	drafts 15:10,11,12,24,25
depends 19:9 25:22 94:4	directly 39:7 74:25 104:4,6 107:3 114:4	draw 24:23
DEPONENT 140:19	disagree 108:23 119:12,17	drawn 53:11
deposed 6:20	disagreed 100:18,21,22	drew 114:6
deposition 6:1,6,8,11,14,17 7:10,12,23 8:4 9:5,14 10:2,10,15, 16,24 11:8,12,15 14:23 16:18 57:20 71:25 81:13	disagreement 119:16	drop 56:3 82:23
	disaster 16:11	drug 49:16,17,18,23 124:2 125:10 135:20
	disbelieve 119:18	drugs 18:22
	disciplinary 117:4	due 118:24
	discretion 99:25	duly 6:20
	discuss 24:3,25 48:3 69:10 78:14,23 103:7	duplicate 84:2
	discussed 30:7 67:19 108:18	Dwight 63:10 64:4
	discusses 135:19	
	discussing 16:15 63:4 85:1	
	discussion 11:4 44:1 52:14,16	
	discussions 70:11	
	dispense 53:15	
	division 110:3 111:13 120:10	
	document 12:6 16:12 43:2 44:3, 6,10 56:1 58:9,10,17 60:4 65:16	

<div>E</div>	19 116:13 117:12,18 121:23 entering 47:22 114:7 116:17,20 117:1,5,22 119:7 122:4 enters 132:13 entire 37:21 84:14 entirety 22:14 99:14 entity 88:3,9 entrance 85:7 environment 92:2 128:23 129:3 Erin 6:12 71:13,23 90:1 126:13 error 118:25 errors 120:1 124:18,20,23 evaluating 21:3 45:4 evaluation 25:25 evaluations 112:1 124:4 125:3 evening 46:15 evidence 25:8,22 55:7 exact 9:10 17:15 51:6 EXAMINATION 6:22 89:25 140:6 examine 137:24 examined 6:20 exams 124:3 125:3 Excel 79:20,25 exceptions 101:21 exclusively 121:1 Excuse 128:14 executing 32:5 exhibit 8:4,5,13 11:7,9 16:17,20, 22,23 26:9,16,18 42:17,18,25 53:16 54:5,6 55:23,24 58:5,8,16 62:4,7,11 65:7,13 66:24 67:2 68:9,10,12 70:12,14 72:1,6,12,24 73:2,9,16 75:25 76:3 77:3,6 79:4, 6 80:25 81:1,4 82:15,17 87:9,11 105:9 exist 111:16 expectations 48:3 experience 91:24 98:16 experienced 102:25	experiencing 129:19 explain 99:9 105:25 126:21 132:10 explaining 61:6 explanation 119:21 extensively 48:3 extra 28:10,13 extreme 60:12
<div>F</div>	F-I-N-A-M-O-R-E 7:3 face 12:5,7 facilities 19:16 20:5,9,12 22:3 28:11 37:23 49:4 64:6 79:13,16 94:21,22,23 106:20,23,24,25 107:2,4,6,7,10,11,24 110:5 111:10,14 113:16,18 114:7 117:17 118:13 123:13 128:16 129:1,6,7,10,17,18 130:2,10,13 131:21 133:14 134:4 136:20 facilities' 121:13 facility 18:2,11,13,14 19:5 20:19 22:1 28:14 37:14 39:23 40:9,10 41:4,25 44:9,22 45:19,20,24 48:25 53:7 80:2 88:7 92:3 93:14 96:9,11,15,21 97:5,7,23 98:11 109:19 110:13 111:18,20 116:12 124:19 132:6,8,13,14,17,22 133:11,19 134:5 135:3 136:19 137:24 138:15,18 139:13 facility's 109:24 fact 74:19 factors 24:9 failed 107:23 failing 117:21 failure 113:13 fair 28:4 92:23 99:1 100:22 118:20,21 127:24 fall 92:22 111:10 familiar 10:10 66:22 fantastic 58:3 80:21 faster 90:13	

favorite 97:21	fines 60:12,16 61:4,7,15,22	Freidman 103:22 104:10,13,18
February 76:2 78:11	finish 31:24	Friedman 105:2
federal 122:12 133:17	finished 67:15	front 35:24 43:3 44:3 58:7 65:7 68:8 73:2,16 77:2 81:5 97:11 105:13,15 107:14
feel 12:2 28:4 87:22 88:20 106:5 107:17 108:4	finishing 99:11	front-line 12:25
fewer 18:11	fiscal 110:23,25 111:6 120:13	fully 109:6 126:4 130:13
figure 39:16 43:11,20 48:22 53:24 54:3,18 80:20 85:22	five-minute 53:18 89:11	function 82:25
file 52:20 58:10 81:20 114:19 128:5 132:10 133:1 134:21	fix 40:12	future 50:14 86:2,23
filed 33:6 75:10	fixed 48:5	
files 15:19 41:25 53:2,9 123:15 124:6,8,9 125:1,10 132:20 134:12 135:4	fixes 48:10	
filled 55:8 66:12	flip 78:8	G
final 15:10 16:3 25:20	focus 24:20 29:22 69:12 93:8 96:15 98:25 107:5 109:22	g-mail 101:21
finalize 26:1 99:12	focused 49:11	gained 76:25
finalized 37:9	focusing 94:13	gather 24:22
finally 23:7	follow 77:25 108:5	gave 85:2 100:7 111:8,14,23,25
Finamore 6:16,19 7:2,4 11:6 17:18 26:20 54:11 56:5 62:14,16 90:1 101:8 140:7	follow-up 31:19,20,22 32:25 33:4 36:16 74:12 75:13 81:8,12, 15,19,23 102:19 133:22 140:15	general 24:5 27:16 33:16 35:10, 18
finance 119:23 120:7,9	Fonda 13:25 91:15 96:3 101:20 102:1,2,22 103:12	general's 9:13
financial 21:21 60:22 66:20 78:17	foregoing 6:1	generally 19:25 26:7 52:25 86:19 98:4 106:3
find 40:11 92:24 93:9,12,23,24 94:1,6 98:8 106:3 129:23 131:4 140:7	form 17:13,21 18:4,5,15,24 19:8 23:9 29:10,18 33:12 34:18,19 35:6 36:19 38:5 41:17 47:3,4,9 50:5,21 60:14 72:4 80:6 82:2 93:1 94:3 98:15 108:12 109:25 114:3, 17 119:2,10 121:19 124:16 125:6, 11 126:6 127:18 128:3 129:4 130:15 131:1,24 132:9,15,19,25 134:25 137:1,15 139:6,17	generated 91:7
finding 30:3,4 39:6 40:6 87:23 105:25 106:2,13,17 107:22 108:5, 8,11,15 109:6,17,22 110:10 112:3,8 113:12,15,23 114:4,14 115:10,11,19,23 116:10 117:15 118:9 119:22 120:11 121:10 122:6,16,20 123:9,12,20 125:23 126:2,3,12,19 128:11 131:3,20,25 132:5 133:3,4,5 138:8,12,14,17, 20,22,25 139:2,4,8,11,15,19	forming 38:17	get all 127:10
findings 14:25 25:7,18,22 26:1 27:19 28:7 29:24 30:2 32:22 37:7 38:24 39:4,8 40:4 45:11 55:18,20 82:10 99:7,16,24 100:3,8,12,18, 23 102:16 105:25 108:14,20 110:6 111:18,22 117:1	forms 124:5 125:5 134:6 138:6	giant 43:19
fine 53:20 88:13,24 89:13	formulating 51:4	give 10:21 11:1 25:17 42:11,20 54:17,22 59:17,22 60:6 65:1 96:25 105:6 127:22
	forward 85:1 119:8	giving 8:19,22 55:7 62:24 127:19
	forwarded 63:9 64:3	glance 70:18
	forwards 64:12	good 6:3,23,24 37:16 65:6 86:9 101:8 137:16
	found 18:23 40:3 113:7,9,16,17, 19 115:8,21 124:8 132:21 134:4, 8,11 135:2,14,16	governmental 19:23 35:15 36:3
	fraud 93:9	governor's 63:15
	free 87:22 88:20 96:22 107:17 108:4 138:5	grace 10:22
		great 7:22,25 12:5 15:9 43:14 54:21 57:24 78:7 79:3 80:17 82:6 85:24 89:21
		greatly 57:21
		Greg 13:25 56:13,16
		group 49:3 74:13 86:2,3 102:25
		groups 103:6,9

grow 90:7	140:13	identified 69:11
grunts 103:18	helping 102:18	identify 23:6,21 24:2 52:18 57:19 93:7 106:13 133:22
Guaranteed 16:11	Herzfeld 6:7,22 8:3,6,14,18 11:3, 5,10 16:17,21,24 17:14,17,22,25 18:6,10,16,20,25 19:4,13 26:16, 19 29:11,19 30:5 33:13 34:20 35:7 36:23 37:3 38:6 41:20 42:16, 23 43:1,11,19,24 44:2 47:7,15 50:6,25 52:1,12,15,24 53:17,22 54:5,7 55:22,25 57:15,24 58:3,6 60:17 62:5 65:14 66:25 68:11,15 70:13 71:11,19 72:9,11,25 76:4 77:7 79:5 80:10,18,23 81:2 82:5, 18 87:12 88:11 89:2,5,10 90:12 93:1 94:3 98:15 108:12 109:25 114:3,17 119:2,10 121:19 124:16 125:6,11 126:6,13 127:18 128:3 129:4 130:15,19 131:1,24 134:25 135:18 137:1,15 139:6,17,25 140:15,17	illnesses 117:18 118:15
guess 8:14 9:6 15:19 19:2 21:5, 13,22 24:9 39:16 46:23 48:16,20 59:25 61:10 66:16 77:12 88:5 100:4 104:15,20 105:4 111:21 115:25 122:3 124:19 137:18		imagine 89:9
guessing 94:1		IMOF 76:10
guidance 59:18		impact 19:6 106:7
guys 89:13		impacted 115:15
<hr/> H <hr/>		implement 119:25
half 77:17		implementation 95:12
hallway 97:13		implications 137:19
handed 11:7		importance 137:21
handle 78:3 98:14 127:12 138:9	hey 39:20 71:10 83:25	important 21:8 24:5 38:14 53:12 137:20
handling 138:13,15,18	highlighted 74:7	improved 130:6
hands 90:13	highlighting 85:25	improvement 92:24 93:9
happen 48:8	highly 109:11	improvements 109:9
happened 29:7 32:23 48:12 68:5 78:25 97:17 117:10 126:22 137:6	hinder 23:23	in- 37:21
happening 49:1 54:24 59:3 88:6	hindering 93:14	in-charge 12:22,24,25 13:4,10 26:22
happy 43:12,22 88:15	hiring 129:19	in-charges 12:20,22 13:2 25:9 91:10
harassment 121:15	history 23:17	inaccurate 72:19 120:12,23
hard 47:10 52:8	hold 12:8 58:12 67:16	incident 70:4 114:13,14,15 116:12,13,22 117:1,10,11 120:13 136:21 137:3,7
Hardeman 59:14 60:13 74:23 79:16 107:9 126:22 127:4	holding 117:4	incidents 88:6 112:6 113:25 115:21 116:14,22,24 117:7,22 118:23 119:7 135:14,16 138:23
head 34:9	holds 15:20	include 20:5,8 69:13
health 92:19 112:25 117:17 123:3,15 124:3,4,5 125:3,4,5 137:24 138:6,7 139:1	Honestly 85:18	included 29:8 49:21 51:18 53:2 80:14
hear 19:25 59:10	hoping 42:8	including 11:21 91:17,23 92:1
heard 71:12	hour 53:17 89:4	incomplete 120:12
hearing 36:10,13,18 37:4,10 59:6 74:12 75:13,15 117:4 134:9,14	hours 9:9 19:11 98:3,5 117:2 127:10	incorrectly 115:25 126:7
hearings 36:6,9 75:19 104:15	housing 61:18	increase 19:11
Heather 91:15	Human 103:24 104:3	increased 128:17
held 15:12	hundred 110:19	increasing 120:1
helpful 24:6 41:22 98:9,12 133:5	hundreds 125:1,9 126:3	independent 22:1
	<hr/> I <hr/>	
	ideas 70:1,2,5	indicating 32:4

individual 8:8	instructions 11:18 138:6	
individuals 14:6 91:16,23 92:1	intended 105:25 111:4 125:18, 23	<hr/> J <hr/>
industrial 12:13 91:3	interacted 41:19	Jackson 91:12
industry 17:11	interactions 103:8 105:5	Jaclyn 68:21 69:3 74:1 78:22 91:10
influence 61:10	interest 61:18 102:24	Jafar 14:5
information 15:18 17:7 23:18 27:11 30:6 34:15,25 38:21 41:23 46:21 47:22 51:18,21,24 55:17 60:16,19 76:25 79:17,24 81:24 88:9 98:17 102:19 105:4,6 106:25 110:7 112:5,16,18 113:11,14,20 114:7,11,20 115:15,16 116:1,6, 13,18,20,21 117:5,23 118:6 120:21,23 121:1,5,7 122:5 124:7, 10,18 127:11 131:8 140:11	interested 37:25	jail 92:2
informational 106:17	internal 49:4 86:6 109:11 110:2,3 111:13 119:25	January 26:10,25 36:10 44:8 46:2 49:16 70:20 73:18 91:7 105:18
infraction 44:18	internally 83:8	Jeanie 101:20,21 102:22 103:12
Inglis 63:9,24 64:1,4	internet 127:5	job 19:14,17 20:2 21:3 86:9 92:23
initial 124:2 125:10 133:21	interpret 102:18	jobs 22:5
injuries 113:2,6,14 117:18 118:15	interpreted 103:19	Joe 6:12 71:14,17 90:1 139:22
injury 113:20	interrupt 20:24 31:2 126:13	Jordan 79:8,10,11,15
inmate 18:3 31:8,13 46:17 96:12 97:22 104:16 120:12 123:15,21 124:6,7,9 125:1,22 126:9,24 132:6,9,13,15,18 133:12,18 134:5,12 135:4	interview 23:20 76:25 78:14,15 79:1 104:6 105:8	jotting 70:10
inmate's 115:14 134:21	interviews 38:3,10	judges 77:20,25 78:2
inmate-on-inmate 138:9	introduce 6:5	judgments 33:3
inmates 46:14 80:2 97:11,13,15, 18 107:25 124:12 125:18 126:1,5 127:9,14 134:8,13 136:7,10,13 139:1,5	investigate 138:23	Julie 74:12
input 38:16 73:17	investigating 121:14	July 81:9
inquiries 41:21	investigation 33:10 122:4 136:5	jump 130:5 135:17
inside 17:19	investigations 34:2	jumped 133:3
instance 93:22	investigators 37:12,14,15	June 6:4 33:24
instances 55:4 97:15 132:21	involved 12:15 40:18 51:13 102:3,6 115:22	Justin 63:9,19 64:4
Institute 95:2	involvement 104:14	<hr/> K <hr/>
institutional 132:10 134:12,21 135:4	issue 25:18 44:14 46:20 47:2,22 50:8 55:14 70:4 72:7 80:8 93:10 96:20 102:18 106:3,5,18 112:8,11 115:23 116:17 117:9,21 120:19 121:4,8,9,18,22 123:20 125:9 126:1 127:14,24 136:2,23	keeping 61:9
instruct 98:13	issued 35:8 42:4	key 23:20
instructed 98:17	issues 20:1 28:12 34:23 40:3,7 69:10 92:24 93:11,23 96:11 102:24 106:12 124:15 125:1,24 135:12	kind 16:8 39:21 42:9,12 43:17 52:2 84:6 86:9 87:23 92:11 109:22
	item 44:15 48:18	knew 52:2
	items 44:19 69:8 123:25	knowing 118:25
		knowledge 17:11 28:6 29:13 30:7 31:9 92:4
		<hr/> L <hr/>
		labeled 15:24,25 40:5

lack 47:8	location 45:13	management 23:20 24:3 25:1, 13,17 39:25 40:17,22 41:10 46:18 69:10 70:5 76:11 99:15 107:24 112:16,18 113:11 114:20 115:15 116:11 118:13 121:12
Landers 60:20,21 61:6 78:14,16, 17	locations 96:10	management's 109:1 114:23
large 43:24	lockdown 46:16	manager 13:15,16,19,20 58:11 73:24
late-filed 8:5	locks 43:17	managers 25:9
law 92:22	lodge 72:4	mandate 48:9
lawsuit 10:5	long 7:7 9:8 89:3 90:10 96:2	mandates 48:21
lawyer 63:17 94:10	longer 14:12 19:10 30:4	manned 29:1
leadership 107:22	looked 28:8 31:14 51:3,5 66:5 70:2 94:17,25 95:13 99:5 124:9 131:6 136:21	MAR 126:24
leading 97:8	loss 120:1	March 135:24
learn 104:13 128:22	lost 127:5	mark 11:7 26:16 42:16 54:5 55:23 58:8 65:7 68:9 75:24 77:3 82:15 87:9
learned 104:12 128:24 129:5	lot 51:24 52:2 61:13,20 88:6,7 94:1 128:24	marked 8:5 11:9 16:23 26:18 42:18 49:12 53:24 54:6 55:24 58:5 62:4,6,11 63:8 65:13 66:24 67:1 68:10 70:12 72:24 73:1 76:3 77:6 79:4,6 81:1,4 82:17 87:11 135:12
leave 14:19 139:23	loud 70:10	MARS 125:14 126:25 127:1,2,3, 7,20 128:6
led 97:10	Loveless 58:21	masks 111:19
Lee 75:20 76:1	lovely 58:15	Mason 91:15
left-hand 43:5	lowered 60:13	master's 12:13 90:21,24 91:2
legal 74:14 75:4,8,10	lunch 88:23 89:1,12 101:5	masters 90:25
legislative 7:5 74:11 75:13	luncheon 101:6	match 117:8
legislators 88:4		matches 79:17
legislature 19:18,23 35:23 36:2, 13 37:2 93:15 106:6,16 120:25	M	materials 94:8 98:10 136:15
legislature's 74:23		matter 76:1
letter 24:17	macro 48:13	max 79:21 80:3
level 18:8 48:13 80:3 106:13 137:20	made 16:7 25:2 26:2 27:13 28:9, 22 29:15,22,25 30:8,12 31:16 32:8 34:7 35:13 70:3 72:8 85:17 96:5 112:1 131:8	Maxwell 6:15 9:3,4 10:3 52:17
levied 61:16,23 66:10 78:1	main 93:18	meals 136:13
levy 77:20	maintain 132:8,18	meaning 47:17
library 96:14	maintained 116:14	means 13:10 77:15 113:4,5 124:17,23
life 103:19 136:7	maintaining 21:5 116:23 132:24	meant 36:23 83:7
likelihood 18:22 19:3	major 16:6 27:20 47:21 92:16,21	meantime 33:8
limited 137:18	majority 101:1 129:6 130:2	
liquidated 59:11,13 61:25 62:2 64:7 66:10,15	make 8:3 15:7 16:17 25:21,25 29:12 33:3 37:7,16 39:15 40:7 44:16 49:5 57:10 60:3 71:14 73:13 85:9 86:16 90:15 93:18 95:25 99:4,20 106:18	
list 35:24 51:6 66:10 80:22 110:18 111:13	makes 24:11	
listed 101:23 130:3	making 25:24 46:6 88:7 130:25	
litigation 15:22		
located 46:10 80:19		

measure 109:19	missed 80:24	news 87:16,20,24 88:4,8
media 35:13	missing 124:1 125:10	Nikki 89:8,18
medical 123:1,2,8,14,21 124:1 125:13,16,24 127:25	mission 23:24 93:4 106:4,8 108:2	non-critical 128:18 131:17
medication 125:17,22 126:2,5 127:16,20	misunderstanding 118:25 122:1	noncompliance 44:10,11,12,14, 18,21,24 46:13,20 48:11 49:15, 17,25 51:2 53:1 55:5,13 106:2,8 124:19
medications 124:4 125:4,19 127:15,22	mixing 130:20	noncompliances 51:7
medicine 126:10	moment 34:4 76:24	noncompliant 44:15 46:24
meet 9:4,8 23:24 25:14 64:24 78:19 108:2	Monday 9:9,17 67:8 70:20 76:2 78:11	Northeast 107:8 133:8
meeting 9:18,19,24 40:2 41:3 58:17 59:6,16,19 60:19 61:1,2 62:25 63:1,3,4 64:5 67:7,16,17, 18,19 68:6,17 69:5,10,24,25 70:7, 23 71:1,2,4 72:22 73:7,14,15 74:13 76:13 88:24 93:4	money 22:2 61:14,21	Northwest 107:8 133:8
meetings 67:21,25 68:2 78:25	monitor 28:11,13,19 30:14 40:20 46:9 48:17 49:2 50:1,15,23 56:13	note 47:19 49:5 64:8 126:8 130:1
Melissa 68:21 69:2,3 73:25 78:21 91:9 97:12	monitor's 44:19	noted 28:23 114:5 126:8 127:7
member 48:4	monitoring 21:6 48:23 55:13	notes 7:16,17,20 8:1,4 32:7,9,11 38:3,7,10,12 67:7,11,13 68:3,4,17 69:15,17,19,20,22 70:1,3,6,10 71:2,3,5 72:16,19 76:7,8,24 78:13,24 79:1
members 36:13 91:4,8	monitors 21:4 28:20 44:13 45:3 79:14	notice 7:14 10:16,24 11:11,18 12:2 16:22 134:13
memo 32:4 44:14	month 14:1 113:9	notification 44:9 49:15
mental 123:2,15 124:3 125:2,3,4	month's 113:7	notifications 51:2
mention 108:6,7,10 112:22 118:16	monthly 66:18	notified 72:2
mentioned 75:15 90:14 102:23 106:10 108:13 115:9 135:7	months 32:3 105:22 113:20	notify 24:16
met 78:22 133:24	morning 6:3,23,24 46:15	noting 45:3
methodology 23:11 124:11	move 49:12 55:22 58:4	November 12:16 16:14 26:3 58:18 62:12 67:8
Metro 104:24	moved 75:9 90:9	number 46:22 57:20 80:1 98:3 111:18 124:18 129:20
Michael 91:13	moving 72:12 85:1	numbers 42:21 43:16 46:16
Michigan 90:8	multiplier 64:9	Numerous 22:21
Middle 90:25	Murray 91:15	nurse 126:24
mind 28:2 31:3 54:21		nurse's 125:20
mine 89:16		nurses 123:7
minimal 128:16 129:11		nursing 127:1
minimally 135:20		
minute 54:22 67:14		
minutes 30:11 71:1 89:4 139:23		
misleading 120:24		
	N	
	narrow 24:7 69:12	
	Nashville 41:11	
	national 86:11	
	naturally 19:10	
	nature 75:17 106:9 138:21	
	necessarily 108:8	
	needed 19:11 42:1 96:24 98:10, 11,18 127:9 140:11	
	negotiate 60:1	
	newly 57:13	
		O
		object 17:13,21 18:4,7,15,24,25 19:8 29:10 33:12 34:18,19 35:6 38:5 41:17 47:3,9 50:5,21 60:14 82:2 93:1 94:3 98:15 108:12 109:25 114:3,17 119:2,10 121:19

124:16 125:6,11 126:6 128:3
129:4 130:15 131:1,24 134:25
137:1,15 139:6,17
objection 17:12 18:5 29:18
36:19 47:4 72:4,8 80:6 127:18
130:19
objections 71:16
objective 23:6 48:14 78:1 134:16
139:7
objectives 23:3 24:7,10,12,14,
17,21 48:19 69:8,12 73:18 94:5
134:1 136:11,14,17 138:16,19
observation 40:6 114:5,10
115:19 118:10,22 128:8,12,14,15
133:6 134:17 135:10,19,23
observations 29:21 38:3 40:3
45:11 46:7 99:18 106:10,11,12
120:16 129:10
observed 53:21 89:22 101:6
138:4
obtaining 138:6
occurred 62:2 137:7
occurring 19:3
off-the-record 11:4 52:14 71:21
offender 112:18 114:20 115:15
134:19
offenders 109:10
office 6:16 7:6 8:9,20,23 9:13
13:8 14:7,10,13 22:11 27:24
29:14 32:20 34:1 36:22 41:11,15
42:3 49:9,20 50:18 51:2,3,9 52:8
54:15 56:25 59:1 63:2,5,15 81:20
82:1 83:4,7 86:7,15,24 104:2,24
officer 60:22 66:13,20 78:18
officers 17:5 21:19 77:13,15
129:20
offline 39:21
offset 30:2
one-page 58:17 118:3
one-to-a-hundred 110:16
one-to-ten 110:16
online 126:25 127:11
open 10:25 43:10 83:10 101:16

opening 41:3
opens 86:20
operate 77:18
operated 44:9 64:6
operating 21:20 128:16 129:11
operations 19:24 21:16 30:20,22
36:3 57:5 109:13
opinions 38:17
opportunities 136:10
opportunity 11:14,17 14:22
54:17 55:7 56:21 62:20 72:13
84:13 99:6 100:3
order 106:20
orders 124:4 125:4
ordinary 27:23 54:14 56:24
58:25
organization 86:12
organizational 12:13 91:3
organizations 38:17 103:3
orientation 132:7,9,15,17,19,21,
23,25 133:1
originally 90:5
outright 47:5
overlooked 80:25
oversees 79:14
oversight 30:17 39:9 57:7 79:12
107:23
overstaffed 129:1
overtime 128:17 130:2

P

packet 132:19
pages 107:16 108:5 118:4
Palmer 6:12
paper 53:2 107:13 114:19 127:1
128:5
papers 15:15,16,20,21 35:4 38:8,
13,15 40:16 42:7,9 51:17,19,20,
22 52:4,20 53:5,8,10 58:2 76:20
79:2 80:15,16 86:16,19,25 95:5,
15

Parker 58:18 59:7,15 61:1,2,3
parking 62:24,25
parole 77:13,14,18,22 78:3
102:15,16
parolees 77:21
part 19:20 21:2,13,22 23:8 37:13,
18 39:22,24 42:9 44:18 45:6,23
49:22 53:4 55:1,3 61:24 70:1 74:7
76:10 82:10,12 86:4,5 87:25 88:9
92:23 97:6 100:15 103:9 108:23
109:15 115:2 116:23 118:7 119:3,
20 126:8 136:17
participate 86:11
participated 91:19
participating 22:16 71:25
pass 88:15 100:4
past 66:6
patient 125:20
patient's 127:7
pattern 56:9 57:4,8,11,14
pause 71:18
PC 79:21
PDF 43:20 57:16,18
peer 86:2,6,14,17,22,23 87:2,6
penalty 64:17
people 13:22,23 38:3,9 47:11
49:17 83:2 119:6
percent 110:19,23,25 111:1,19
percentage 109:18 110:17
percentages 111:1
Perfect 31:7
perform 24:22 132:6
performance 7:5 14:15 19:17
20:1,3,4 22:21 23:1,12,23 26:10
27:1 69:1 91:5 93:6,14,23 99:3
105:17 109:20
performance-wise 75:5
performed 20:14 26:14 27:24
49:20 99:1 135:14,15,16
performing 93:20 103:5 135:19
period 44:24 135:8,24

periods 30:1	Polly 6:12 17:13,21 18:4,15,24 19:8 29:10 33:12 34:19 35:6 38:5 41:17 43:8,13,22 47:3,9 50:5,21 52:23 53:20 60:14 68:13 71:23 82:2 88:18,21 89:4,13,21,25 90:1 93:21 94:7 98:20 101:2,7 108:17 110:9 114:9,22 119:5,11 121:21 124:21 125:8,15 126:11,16,18 127:23 128:7 129:8 130:16,23 131:10 132:2 135:1 137:10,22 139:10,21 140:3,16	previously 90:14 91:4
permitted 108:20	population 124:13	primarily 137:12
person 9:20 30:21 40:22 47:12 79:12	portions 101:3	primary 107:4,5
personal 38:2	position 7:4,7 60:11 61:3 66:13 136:3	prior 22:19 29:23 30:2 82:10 131:3,9
personally 37:25 66:6	positions 27:7 66:11 118:16 130:25 131:18	prison 17:20 20:6 57:7 74:21 75:3 92:2 97:3 104:20,23 122:11, 12,14 133:18 139:16
personnel 132:6 133:11	possibly 51:7 70:11 82:8	prisoners 21:17,19
pertaining 45:10 110:1,6	post 31:19,22 32:16 39:5 55:5	prisons 21:20,24 30:21 39:9 61:18 75:22,23 77:17 104:24 109:9,13 116:7 120:24
phase 23:2,13 24:18,19 25:3 55:3 107:4	posted 138:7	private 20:6 22:1 74:21 75:3
phone 9:20 39:19 72:3	posts 29:1 55:11,12 128:18 129:18,24 130:1,6,10,18 131:4,6, 14,17,18	privately 44:9
phrasing 61:12	potential 23:21 86:2,22 111:20 133:23	probation 77:18 102:15,16
physical 124:3 125:2 138:23	PREA 95:6,9,11,12,14,15,17 121:22,23 122:8,9,10,11 133:20 135:7,13	probationer 78:3
physicians 124:4 125:3	preliminary 73:18	problem 8:17 111:14,20 113:17 126:9 127:8
pick 39:19	preparation 10:2 51:11,13 53:3 64:5 78:20	problematic 112:6
picture 118:2	prepare 7:22,25	problems 40:11 45:3 71:13 93:8 111:15 113:17 125:13
place 50:24 59:22 60:6 72:5 93:5 109:12 116:21 128:5	prepared 7:17 12:2	procedure 99:21
placement 134:23	prescope 68:17 69:5	procedures 21:2,14 23:16 46:3 85:11 93:5 121:14
places 126:3	present 9:23 41:1 70:5 93:15 110:7	process 19:21 22:13 23:25 25:9 26:6 31:23 32:16 37:13 39:22 40:8 41:6,8,18 48:23 66:22 86:3 87:25 99:9 109:9 110:2 140:8
placing 114:1	presenting 60:15,18	processes 109:12 122:4
plan 32:2,6,18 44:17 55:15 81:8 127:12	press 88:7	produced 52:3 57:16,19 87:17 94:9
planning 23:2,3,13 53:5 69:6,11, 15,17 78:15 84:10,23 88:2 103:10 107:4	presume 66:20	production 16:2 80:24 87:17,24
plans 124:5 125:4	pretty 43:24 59:14 96:20	professional 86:5
played 107:1	prevent 133:13 136:24 139:12,16	professionals 92:6,9
Pleasant-bey 6:8	preventing 93:13	program 15:19 122:12
Pods 96:12,17	previous 28:25 84:24 102:16	progress 32:4,18 33:3
point 23:15 25:5,16 34:12 74:3,9 75:9 87:21		project 14:2
pointed 39:15		properly 28:24 133:14 137:8 138:7
Pointer 68:20,24 91:11,12		protect 109:12 139:5
pointing 120:19		protocols 95:12
policies 20:23 21:2,14 23:16 85:11 93:5 109:11 116:12 121:14		
policy 38:9 116:19 117:19 123:17 132:12 134:9 137:14 138:4		

provide 25:13,24 41:24 79:16 93:3 98:17 99:12,15 106:14 107:23 109:19 112:4 116:6 139:1	90:3,12 96:7 98:18,23,25 102:20 139:22 140:1,10	102:17
provided 10:14 15:22 41:23 119:21 120:21 131:7 132:15 133:1,2 134:13 136:13	quick 128:6	recently 57:4 104:21,22
providers 20:6 123:1,8		recess 53:21 89:22 101:6
providing 51:14 140:11	R	recognize 26:13 54:8 65:24 67:3,6
psychology 12:12,14 90:20 91:3	raised 60:13	recollection 72:22
public 35:14,22 109:12 116:6 120:22,25	random 49:23 124:12 135:20	recommendations 45:5
publication 121:4	range 52:19 110:15,19 111:17	record 7:1 11:3,6 52:12,15 71:20 97:23 101:5 115:14 125:21 127:17,21 137:2
publish 99:12,20	rape 122:12,14 133:18 139:16	records 83:11 114:19 124:1 125:13,16,17 126:24,25 127:9 128:1
published 116:5,8 120:12 121:1	rapist 133:23	reductions 19:10
publishes 120:22	rate 17:1,2,4,6,9,10,16 59:12 61:7,20 110:7	reference 17:1 85:10 87:21
publishing 120:23	rates 59:23 60:1,8	referenced 108:14
pull 42:21 43:17 131:17	re-entry 92:3	references 17:2 103:21 110:21
pulled 42:6	reach 103:3 106:13	referring 10:17 64:21
purpose 19:15 34:3 93:18 137:4	reaction 41:21	reflect 68:5 78:24
purposes 83:11	read 10:12 46:4 54:17 56:9 58:19 62:14 64:10,18 65:18 68:21 70:19 71:22 73:19 74:15 79:21 81:9 84:3 85:10 103:1 108:2 109:20 111:1 112:6 115:17 120:1,14 121:16 123:17 128:18 129:13,20 133:14	reflected 29:2,4,5,16 30:2 40:13
pursuant 137:13	reading 50:7 85:11 88:8 99:3	reflection 69:24 72:21
purview 93:17	reads 75:1	regard 30:16
push 89:11	real 103:19	reign 96:22
put 16:21 35:5 42:10,20,25 48:14 53:8,10 58:15 62:10 65:15 67:3 68:11 70:16 76:19 77:2 80:22 81:20 87:15 101:10,11,12 113:13	realize 72:2	relate 117:1
putting 75:24 85:14 87:8 118:23	reapprove 64:17	related 14:15 17:23 23:22 39:7 113:12,18 127:19 133:6 135:24 136:2 137:4
Q	reason 35:20 71:7 85:21 100:11 103:17 119:12,17	relating 107:25 112:5
qualify 62:2	reasonable 24:4	relationship 17:19 18:2 61:11
quality 86:10,13	reasoning 25:24	relationships 75:17
quarterly 66:19	recall 16:6 26:4 27:13,14 30:10, 24 40:23 54:24 57:2 59:4,13 62:23 63:17,18 67:18 74:18 76:21,23 77:10 84:19 87:7 91:9 105:7 138:11	release 32:1
question 17:14 18:6 48:20 59:10 74:14 75:4,11,12 87:22 111:21 122:1 130:21 139:9 140:2	receive 38:16 44:21 72:7 80:11, 13 82:3	released 35:13 59:6
questioning 89:2	received 11:11 51:8 52:7 95:11 126:5 134:8	relevant 105:7
questionnaire 76:11	recent 57:12 98:25 101:12	religious 136:7,9,10,12,13,15
questions 24:6 25:14 41:7 42:14 53:15 75:16 76:8,15 78:13,23 84:17,23 88:12,15,21 89:18,23		remains 66:13
		remember 9:10 16:9 30:22 40:19,20,21 63:14 83:15 85:18 87:4 95:4 96:4,19 98:6 104:5
		rendered 110:13
		renegotiated 59:9

renewed 19:22

repeated 129:9

report 11:22 12:16 14:3,23 15:1,
7,10 16:8,14,25 17:3 25:3,4,6,18,
19 29:2,4,6,8,17,21 30:1,2,7,13
31:8,13 32:1,16 33:2,4 34:6,8,17,
22 35:1,5,21 37:7 39:8 40:14
44:11,12,15 49:21 55:2,13 77:4,8
79:17 80:4,7,12 81:9,12,19,24
91:6 94:14 99:4,11,12,14,21
100:2,25 101:1 105:17 106:11
115:10 117:10,12,22 137:3
139:19

reported 81:25 115:5,9

reporter 6:3 16:19 71:21

reporting 65:17 70:4 116:1,12
118:23 121:6 136:21,22

reports 19:15 32:18 35:8 44:22,
24 48:11 51:4 53:1 80:14 94:20
110:5

represent 6:5,7 90:2 111:7

representatives 103:4

represented 9:1 111:11

request 43:14 56:8 80:8

requested 35:19 59:7

requesting 59:15

require 31:12

required 30:18 36:17 41:24
113:10 114:8 116:15 117:5 119:1
123:14,16 133:12 134:9 135:20

requirement 66:12 118:14
133:17

requirements 74:10 115:5
122:13 138:3

requiring 30:18

research 23:4,13,15 69:7 88:3
103:10

reserved 62:25

residential 92:3

resolved 84:25

resources 18:17,21

respect 92:13 102:12 108:11
120:17 125:2

respects 100:18 131:16

respond 99:6 100:3,7 108:20

response 25:20 28:7 30:12 34:8
47:24 50:2,7 131:2

responses 27:11 136:24 137:2

responsibility 50:15,22

responsible 48:4 57:6 102:12

rest 53:15

restate 31:10 130:21

restroom 88:22

result 18:12 36:17 37:4 59:19
97:17 131:5

resulting 128:17

results 46:22 121:16 122:4

retain 92:5

retained 94:20

retested 49:18

returned 57:9

review 11:14,17 14:22 19:21
23:17 24:7 25:12 26:10,25 27:1
28:25 30:20 44:19,24 54:22 56:19
60:5 62:20 66:4 67:14 70:17
72:13 75:5 84:13,16 85:14 86:2,3,
8,10,15,22 91:5 94:6 95:1,6 99:14
100:24 101:17 102:15 110:2,4
111:8

reviewed 32:19,21 33:6 53:3,4
57:8 72:18 87:2,6 94:9,15 132:20

reviewer 86:17,23

reviewers 86:14

reviewing 72:6 113:6

reviews 19:18 49:4 86:6 95:6

revision 56:9

rights 103:24 104:3,20

risk 23:3,6 120:1 135:3

risks 23:22

role 8:10 12:19,23 13:11,13,18
21:1 45:18 93:2 102:9

roll 58:15

room 97:1,8,9

rosters 28:25 30:19 129:25
131:7

routine 103:7

routinely 80:5,8

rule 77:22

run 22:1

S

safe 109:13

safety 17:19,24 21:17,18 47:2
92:19 97:5

SAITH 140:19

sample 124:12

sanctions 77:3,8,13,20,24 78:1

Sarah 91:14

satisfactory 32:23

save 85:17

saved 85:15,19,21,22

schedule 64:7

scheduled 33:18,19,20

science 90:20

scope 46:3 48:9 49:8,19 69:9
73:15 92:12

score 109:24 110:13,15 111:6,7

scores 109:18 110:6,7,18
111:13,17,22,25

screen 10:19 11:2 16:10 26:11
42:11 43:2 53:25 54:19 62:7
65:11,12 71:14,15 75:24 82:14,19
85:25 87:8,13 113:2,13 114:1,12
118:1,3,5,8,24

screening 125:10 133:20,21,22
135:14,15

screenings 124:2 133:12 135:7,
13,20

screens 118:7

scroll 103:11

searches 18:11,14,19,21

Secretary 62:19

section 52:2 83:25 102:14
120:16 124:11

sections 84:6,11
security 48:2 80:3
segregation 96:13
self- 86:5
semi-quick 52:16
send 25:11 30:19 31:25 32:2,3
57:25
sending 55:4 57:3,13
sense 22:9 138:20
separate 78:11 123:5,6
separated 133:24
service 20:6
services 113:1 117:17
set 23:3 24:14 33:16 59:13 60:8
setting 24:9
settle 23:7
seven-page 70:15
sexual 121:15 133:13
shaking 34:9
share 10:20,22 11:2 16:10 43:9,
20 54:3
shared 35:3 46:21
shelf 134:20
sheriff's 104:24
shift 30:19
shifts 55:8
shore 96:7
shorter 89:16
shortly 33:20
show 7:20 26:9 32:13 42:13
53:23 62:6 65:6 67:1 73:1 81:3
125:18
showed 29:1
showing 55:6 70:14 79:6
shows 38:21 124:25
shut 71:24
side 97:19
sign 132:18

signed 24:13 57:8 132:24
significance 47:20 85:16
significant 34:23 35:4 106:3,9
130:2
significantly 106:7
sir 17:22 18:16,25 29:20 31:5
43:2 44:3 52:25 54:8 57:1 67:4
72:13 75:20 77:2 81:3 82:6
sit 30:9 52:9
site 28:20 98:6
sitting 31:2 32:12 88:13
situation 127:13
six-month 81:8,12,19
six-page 81:4
skipped 133:4
sleeping 85:3
slowly 42:11,12
smart 101:4
software 15:19 46:18
solutions 119:24 120:10
someplace 40:25
sort 106:15
sounds 43:15 78:9 89:15
South 74:21 90:9
space 62:24 63:1
speak 9:12 10:1 11:20 51:5 86:6
speaking 8:23,24
specific 10:9 65:23 108:5,7,10
118:5,8 135:10 138:11,12 139:8
specifically 14:14 37:25 48:6,
15,18 74:18 100:20 108:15
112:12 113:18 122:7 128:25
131:22 133:6
speculating 64:23
spell 6:25
spent 22:2,7
spoke 9:15 39:7
spoken 30:11
Spradley 13:25 56:13,16

spreadsheet 79:21,25
Stadelman 91:14
staff 19:10 21:20 25:9 37:21,22
40:2,8,9,10 41:5,24 47:12 48:4
56:17 68:25 70:23 73:8,10 83:19
102:10,11 107:25 113:1,7,19
116:12 117:17 118:13 119:4
121:13 123:14 128:16,17 129:11,
17 130:25 131:17 134:5 135:3
staffed 130:14,18 131:23
staffing 17:19 28:24,25 47:8 56:9
57:4,7,11,13 65:16 70:2 128:22
129:2,6,25 130:7,17
stamped 101:13
stand 14:25 27:4
standard 21:16 76:10 99:21
standardized 23:8 77:24
standards 21:12,14
stands 28:1 30:25 46:8 112:17
Stanton 62:13,18
start 22:16 23:12 84:12 88:25
started 30:18 85:2
starting 84:9 85:9
starts 87:9 101:19
state 6:25 7:6 9:13 17:4 19:16
21:24 22:22 40:9,10 45:22,23
63:2,20 74:20,25 75:2,16 86:24
90:25 92:17 94:24 111:15 116:11
117:16 121:13 129:16,18 130:9
132:5
state's 86:13
state-managed 123:13
state-run 128:16
stated 118:13
statement 119:13
statements 99:5
states 86:12
stating 64:25
statistical 115:16 116:2,3 120:13
status 75:11
statute 32:14 74:20 75:1 93:13

statutes 23:16 93:5	119:14,19 124:6 125:19	temporary 128:18
statutory 115:5	switch 63:7	Tennessee 7:6 17:5 21:25 63:20 81:7 90:10,25 91:20 92:17 95:1 99:5 100:12 102:4 105:22 106:21 108:19 109:14,23 110:11 111:5, 23 112:18 114:20 115:14 129:1 130:12 131:21
steep 59:14 60:16 61:7	sworn 6:20	Tennessee's 129:10
step 84:1	system 46:18 112:16,19 113:8, 11,21 114:21 115:15 121:23 122:8,9 126:24 127:3,6,17,25 128:5	terminology 37:17
Stephanie 6:15 63:15		terms 93:6
steps 84:10,23 103:10 139:5,12, 16		test 24:21,22,23 53:6,11
stored 15:13	<hr/> T <hr/>	testify 12:2
storing 126:24	T-MATE 15:18 76:20	testifying 8:8
strategic 119:24 120:10	table 110:18,20 111:12	testimony 8:19 12:9 27:2 71:22 81:18
stress 19:7,12	taking 32:5 50:23 54:21 60:11 140:4	testing 49:16,17
strike 18:12 109:5	talk 69:11 84:6 103:4 117:25 140:4	tests 49:18,23
stuff 52:4 131:7	talked 9:7,9 81:13 95:17	texted 83:24
subject 56:8 76:1	talking 36:22 38:20 46:11 63:3 74:6,17 75:14 85:6 102:24 107:18 118:6	thing 47:21 70:19 80:20 94:12 97:22 110:16,17
submit 87:15	talks 50:2	things 18:22 20:15 22:24 29:2,5, 7 32:8 36:14 47:20 48:8 70:6 86:17 90:13 94:2 97:15 102:17 117:1 123:21 130:21 137:13,17
submitted 81:9	tally 66:16	thinking 69:18 70:9 73:14 74:22 86:21
subsequently 29:7	Taplin 91:14	Thirty 89:4
substance 27:18,20	Tarwater 63:10,11,13,17 64:4	Thirty-nine 112:21
substantial 16:9 26:5 27:9 61:21 97:16	tax 22:6	Thursday 58:18 62:12
substantiated 122:2	taxpayer 22:2	time 6:4 9:10 14:19 15:3 23:4,19 24:5,8 25:15 27:8,13 29:22,25 31:14,19 32:1 33:6,11 40:1,4,6 44:24 46:15 48:15 57:10 60:23 62:19 63:21 69:13 70:2 71:25 82:3 83:14 85:12 88:3 89:5,24 94:5 97:7 98:21 101:4,17 104:11, 19 113:5 125:21,22 127:15 131:5 133:2,21 135:8,24 140:4
substantive 16:7 27:21	TDOC 6:10 20:5 22:2,13,17,25 26:14 30:12 31:8,12 32:16 33:18 34:2,7 35:22 43:5 44:4 46:6 49:6, 13 50:2 53:24 56:1 58:8,13,16 60:9,11 62:7 63:5,8 65:10 67:2 68:1,9 70:15 73:4,17 75:25 77:4 78:7,11 79:7 81:4,19,25 82:15 87:9 101:13 102:12 107:10	timely 117:4 121:24 122:5,7 135:15
sufficient 129:19	TDOC's 89:24	times 14:20,21 78:19,21,22 112:2
summaries 134:20	team 24:3 39:25 91:5,8 92:5,8 95:23 96:1,9 98:14,17	title 44:8
sunset 19:20 20:3 33:16,20,25 92:22	teammates 95:18	to-do 80:22
super 37:6	teams 86:7	
supervises 79:13	technical 44:1 88:14	
supervising 13:22 109:10	technically 74:20 75:2	
supervision 27:16 109:14	technology 119:24 120:10	
supervisor 12:22 13:1	telling 32:8	
supervisory 13:11,13		
supplies 123:7		
support 25:23,24 45:6 53:11		
supporting 116:14,23		
supports 53:6 114:5		
suppose 64:16		
supposed 8:8 46:16 48:22		

today 6:3 7:10,23 8:7,10,20 9:2,
5,14 10:2 11:12,21 12:3 14:23
27:2 28:8 30:9 51:11

today's 11:15

told 59:21 136:4

Tom 6:10 37:6 52:1 57:15 80:18
88:18 89:5,13 139:25

Tom's 39:15 43:14

TOMIS 46:17 47:1,13,22 112:12,
13,14,15,17 113:2,8,14 114:1,11,
15 115:24 116:13,18,20 117:6,12,
19,23,25 118:8,15,24 119:7
134:12

top 43:5 70:1

topics 11:21,23

total 46:22 66:16 124:13

totals 46:16 48:16

touched 47:23

tour 96:14

transcript 72:7 82:21

transferred 132:13 133:19

transitioning 127:3

trapped 97:10,18

traumatic 118:15

treatment 124:5 125:4

Tricia 6:7 8:12 36:19 42:19 43:8,
22 71:10 126:16 139:22

TRICOR 92:20

trip 96:6

trouble 85:4

Trousdale 11:21,22 12:17 17:6
20:11,14 28:7,14 29:15,16 30:8
34:15,16 35:2 37:18,22,24 38:21,
23 39:4,7 40:18 41:16 45:13,17,
18,21,22 46:10 48:18 56:8 57:10
59:14 60:12 64:8 65:17 66:4 68:1
74:23 78:5,7 79:18 80:5,12 87:21,
24 88:4 94:13,18 95:2,7,11,19,22
104:16 107:9 108:6,7,11,13,16
110:21 111:6,8,23 112:23,25
113:5,6,16,19,25 114:5,10
115:20,22 118:10,22 119:13
120:17 124:25 131:22 133:6
134:17 135:11,13,19,23 136:7

138:9,13,22,25 139:4,15,20

Trousdale's 113:13 138:14,17

true 100:16

TTCC 57:9

turn 32:17 89:20 107:17 108:4

turned 119:4

Turner 20:11 45:13 56:8 65:17
87:21 88:4 95:19 107:9 110:21

Turney 107:8 133:8

turnover 17:1,2,4,6,10,16 118:16

two-page 44:6 65:16 67:2 75:25
77:4 82:21

type 19:6 79:24 110:16,17 124:19

typed-up 67:12

types 22:19,24

typically 53:1 83:10

U

uh-huh 10:23 28:15 30:15 31:4
44:7 50:4,10 51:12 54:1 56:2,7,20
58:14 63:11 68:19 69:16 74:5
83:9 87:19 101:15 103:14 105:16
112:24 115:12 117:3 122:21
134:18

ultimately 21:24 24:11,23 50:20
55:19 78:2

umbrella 111:11

unaware 118:14

understaffed 18:13 19:5 129:2,7
131:15

understaffing 18:2

understand 7:9 8:9,19,24 29:12
50:19 86:18,21 92:11 111:21
119:14,19 137:6

understanding 29:13 45:17
46:12 61:22 78:9 100:25 104:25
118:18 137:9

understood 81:18

unit 96:18 111:8

units 111:9

University 90:18 91:1

unmanned 130:1

unnerving 97:14

unstaffed 66:13

unsubstantiated 122:2

unusual 27:22 28:2

unwavering 109:8

upcoming 64:5 134:13

upper 39:25 40:17,22 41:9 69:10
76:11

V

V-I-N-C-E-N-T 7:2

vacancies 65:16

Vaguely 10:7 84:20

Valeria 91:13

Vandergriff 91:14

varies 23:1

variety 103:9

vary 111:16

verbal 103:18

verify 48:7 55:4 81:24 82:11
126:9 133:1

verifying 33:9

version 67:13 107:13

versus 16:3 52:4 137:24

victims 133:23

view 74:14

Vince 6:16 83:25

Vincent 6:19 7:2 26:20 54:11
62:13,16

violates 78:3

violations 61:23 62:1 66:11

violence 18:3 136:19,22,24,25
137:3,9 138:18,23

vis-a-vis 78:7

visit 96:5 107:3

visited 95:19 96:12,13,14,17
107:3 130:3

visiting 96:13

W

walking 97:18

wanted 59:10 73:13 77:1 78:14
85:3 96:23 99:18

wanting 64:24

warden 39:24 40:2,19 41:15,19,
22 42:3 44:16 47:25 49:24 50:8
96:25 97:8,18 98:13,16,21

Ware 14:5

Washburn 41:15,19 42:4 47:25
49:24 50:8 98:22

ways 103:19

website 35:14,23

Wednesday 73:18

week 40:1 96:5 97:25 98:2

weekly 77:3,8,13,19

Welborn 6:12 90:2

well-established 109:10

Wes 60:20,21 61:5

West 107:8

Western 90:17

Whisky 96:18

Whiteville 74:24 79:16 107:9
133:8

Wickham 91:13

wide 93:17

Wilson 62:19 63:10,19 64:4,12,
21 65:4

Winningham 13:17 73:21,23

wished 60:2

wishes 35:12

Woodall 57:4

wording 27:15,16

words 100:17 114:13

work 23:25 24:21,22,23 31:23
40:8,12 43:15 53:5,6,11,13 82:25
84:1,9,22 85:9 86:9 90:13 93:19
98:2,5

worked 19:11 63:14 92:2 102:17
104:20

working 15:15,16,20,21 35:4
38:8,13,15 40:16 42:7,9 51:17,19,
20,22 52:3,20 53:2,5,8,10 58:2
76:20 79:2 80:15,16 84:12 86:16,
19,25 95:5,15 102:14

works 43:25

world 48:23

worth 113:7

Wright 13:6,7,14 83:13 91:14

write 14:2 84:5

writing 14:3 25:3,6 55:3 76:18
99:11

written 15:4 76:19

wrong 55:9 57:17

Y

year 83:22 110:23,25 111:1
120:13

years 7:8 19:22 22:11,14 111:6

yellow 74:7

Yolanda 91:13

Z

Zoom 6:6,9,11,14,17 9:21,22